Miami Beach Redevelopment Agency Commission Chambers, 3rd Floor, City Hall 1700 Convention Center Drive April 14, 2004

Chairman of the Board David Dermer Member of the Board Matti Herrera Bower Member of the Board Simon Cruz Member of the Board Luis R. Garcia, Jr. Member of the Board Saul Gross Member of the Board Jose Smith Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez Assistant Director Christina M. Cuervo Assistant Director Mayra Diaz Buttacavoli General Counsel Murray H. Dubbin Secretary Robert E. Parcher

AGENDA

- 1. ROLL CALL
- 2. OLD BUSINESS
 - A Report Of The Itemized Revenues And Expenditures Of The Miami Beach Redevelopment Agency For The Month Of February 2004. (Page 763)
- 3. NEW BUSINESS
 - A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Authorizing The Executive Director, Or Designee, To Execute An Amendment To The Agreement Between The Miami Beach Redevelopment Agency And The State Of Florida Department Of Management Services, Facilities And Building Construction Division, For The Renovations And Restoration Of The Colony Theatre, Accepting Assignment Of The Contract Between The State And The Construction Manager, McCartney Construction Company, And Accepting The Assignment Of The Agreement Between The State And The Architect Of Record, RI Heisenbottle Architects; Authorizing The Executive Director Or Designee To Negotiate And Execute Any Ancillary Agreements Necessary To Accomplish Said Assignments; Accepting The Voluntary Removal Of The State Of Florida Department Of Management Services From The Project; And Authorizing The Executive Director Or Designee To Negotiate And Execute An Agreement On Remaining Unpaid Fees Due To The State. (Page 801)

End of RDA Agenda





HOW A PERSON MAY APPEAR BEFORE THE REDEVELOPMENT AGENCY OF THE CITY OF MIAMI BEACH, FLORIDA

The regularly scheduled meetings of the Redevelopment Agency are established by Resolution and are generally held on the same day the Miami Beach City Commission holds their regularly scheduled meetings. The Redevelopment Agency meetings commence at 10:00 a.m.

- 1. Jorge M. Gonzalez has been designated as the Agency's Executive Director. Robert Parcher has been designated as the Agency's Secretary.
- 2. Person requesting placement of an item on the agenda must provide a written statement to the Agency Executive Director, 4th Floor, City Hall, 1700 Convention Center Drive, telephone 673-7285, outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment will be set up to discuss the matter with a member of the Executive Director's staff. Procedurally, "Request for Agenda Consideration" will not be placed upon the Agency agenda until after Administrative staff review. Such review will ensure that the issue has been addressed in sufficient detail so that the Agency members may be fully apprised of the matter to be presented. Persons will be allowed three (3) minutes to make their presentation and will be limited to those subjects included in their written request. Such written requests must be received in the Executive Director's office no later than noon on Tuesday of the week prior to the scheduled Agency meeting to allow time for processing and inclusion in the agenda package.
- 3. Once an agenda for the Redevelopment Agency meeting is published, and a person wishes to speak on items listed on the agenda, he/she may call or come to the Agency Secretary's Office, 1st floor, City Hall, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m., on the Tuesday prior to the Agency meeting and give their name, the agenda item to be discussed and, where known, the agenda item number.

Copies of the Agency agenda may be reviewed at the Agency's Secretary Office (City Clerk's Office) on the Monday prior to the Agency's regular meeting.

The complete agenda, with all backup material, is available for inspection on the Monday prior to the Agency meeting at the Agency Secretary office (City Clerk's Office).

4. All persons who have been listed by the Agency Secretary to speak on the agenda item in which they are specifically interested, will be allowed up to three (3) minutes to present their views.

Robert Parcher Agency Secretary

March 7, 2001

City Clerk: 3/2001

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Revision #17

CITY OF MIAMI BEACH

2004 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

January 14 (Wednesday)

February 4 (Wednesday)

February 25 (Wednesday)

March 17 (Wednesday)

April 14 (Wednesday)

May 5 (Wednesday)

May 26 (Wednesday)

June 9 (Wednesday)

July 7 (Wednesday)

July 28 (Wednesday)

August City Commission in Recess – NO MEETINGS

September 8 (Wednesday)

October 13 (Wednesday)

November 10 (Wednesday)

December 8 (Wednesday)

REPORT OF THE ITEMIZED REVENUES AND EXPENDITURES

OF THE

MIAMI BEACH REDEVELOPMENT AGENCY

FOR THE MONTH OF FEBRUARY 2004

Agenda Item <u>2A</u> Date <u>4-14-04</u>



MIAMI BEACH REDEVELOPMENT AGENCY

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



Date: April 14, 2004

REDEVELOPMENT AGENCY MEMORANDUM

To:

Chairman and Members of

the Miami Beach Redevelopment Agency

From:

Jorge M. Gonzalez

Executive Director

Subject:

REPORT OF THE ITEMIZED REVENUES AND EXPENDITURES OF THE

MIAMI BEACH REDEVELOPMENT AGENCY FOR THE FIVE MONTHS

ENDED FEBRUARY 29, 2004

On July 15, 1998 the Chairman and Members of the Board of the Miami Beach Redevelopment Agency resolved that an itemized report of the revenues and expenditures of the Miami Beach Redevelopment Agency, with respect to each redevelopment area, would be made available to the Chairman and Members of the Board of the Miami Beach Redevelopment Agency at the end of each month. Further, it was resolved that such report would be made available no later than five days prior to the second regularly scheduled Redevelopment Agency meeting in the month immediately following the month for which such report is prepared and that the report would be placed on the Redevelopment Agency Agenda for the second meeting of each month as a discussion item. Because the distribution date for the second Commission meeting of some months falls prior to our receipt of bank statements for the month, we advised on October 21, 1998, that beginning with the report for the month ending October 31, 1998 all monthly Redevelopment Agency reports would henceforth be included as part of the agenda for the first Commission meeting of each month.

The attached material includes the following:

Section A - South Pointe Redevelopment District

- Summary of Cash Basis Transactions by Project and by Expenditure Type for the Fiscal Years Ended September 30, 1988 through 2003 and the Five Months Ended February 29, 2004
- Check and Wire Transfer Register sorted by Project and Type of Expenditure for the Five Months Ended February 29, 2004
- Narrative of Major Projects Planned and/or Underway

Section B - City Center Redevelopment District

 Summary of Cash Basis Transactions by Project and by Expenditure Type for the Fiscal Years Ended September 30, 1988 through 2003 and the Five Months Ended February 29, 2004



- Check and Wire Transfer Register sorted by Project and Type of Expenditure for the Five Months Ended February 29, 2004
- Narrative of Major Projects Planned and/or Underway



SOUTH POINTE REDEVELOPMENT DISTRICT

FINANCIAL INFORMATION

FOR THE MONTH ENDED
FEBRUARY 29, 2004



Miami Beach Redevelopment Agency 1700 Convention Center Drive Miami Beach, Florida 33139 Telephone: (305) 673-7295

Fax: (305) 673-7772



April 14, 2004

TO:

Jorge M. Gonzalez, Executive Director

FROM:

Patricia D. Walker, Chief Financial Officer

City of Miami Beach

SUBJECT: South Pointe Redevelopment District Financial Information

For the Five Months Ended February 29, 2004

At the July 15, 1998 Commission/Redevelopment Agency meeting a request was made for monthly financial information for the South Pointe Redevelopment District. The information has been compiled and is attached.

Historical Cash Basis Financial Information

The summary report included in the attached material, reflects that during the period from October 1, 1987 through February 29, 2004 approximately \$101,193,000 of revenues were received in the South Pointe District of the Redevelopment Agency ("RDA").

The primary sources of these revenues included approximately:

- 81,505,000 Incremental Ad Valorem tax;
- \$ 6,860,000 - Bond proceeds;
- 5,188,000 Land sale;
- \$\$\$\$ 2,833,000 - Rental income;
- 2,739,000 Interest income;
- 1,000,000 Loan from the City of Miami Beach;
- \$ 350,000 - State Grant; and
- 718,000 From various sources.

The opening cash balance for October 1, 1987 was approximately \$1,042,000; therefore, the total amount of funds available for the period was \$102,235,000.

On the expenditure side, approximately \$63,620,000 has been expended from October 1, 1987 through February 29, 2004.



CITY CENTER Redevelopment District

These approximate expenditures were primarily made in the following areas:

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$ 15,608,000 - Cobb/Courts Project;
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\$ 13,155,000 - Debt Service Payments;

\$ 6,905,000 - Portofino Project;

\$ 8,532,000 - South Pointe Streetscape/Park

\$ 5,576,000 - Marina Project;

\$ 5,179,000 - Administrative Costs;

\$ 6,447,000 - SSDI Project

\$ 1,045,000 - Carner-Mason Settlement and Other Reimbursements, and

\$ 1,173,000 - Other Project Costs.

The cash balance as of February 29, 2004 is approximately \$38,615,000. This balance consisted of the following amounts:

\$ 37,036,000 - Cash and Investment balance,

\$ 73,000 – 1989 Bonds Sinking Fund Interest Account,

\$ 706,000 - 1989 Bonds Sinking Debt Service Reserve Account,

\$ 800,000 – 1989 Bonds Sinking Fund Principal Account.

JMG:PDW:MM:jar

SUMMARY OF CASH BASIS TRANSACTIONS FOR THE MONTH ENDED FEBRUARY 29, 2004

Redevelopment Agency - South Pointe District Summary of Cash Basis Transactions by Project Fiscal Years 1988 - 2004 (through February 29, 2004)

			Total
	Prior Years	FY 2004	Rev./Expend.
OPENING CASH/INVSTMT BALANCE \$	1,041,730	\$ 24,468,150	
REVENUE			
- Tax increment - City	35,587,488	8,158,214	\$ 43,745,702
- Tax increment - County	30,126,612	7,013,077	37,139,689
- Tax increment (Interest) - County	26,627	-	26,627
- Tax increment - Children's Trust	-	592,809	592,809
- Bond proceeds	6,860,000	-	6,860,000
- Cobb Partners - Closing Parcel 1, 2	5,187,944	-	5,187,944
- Marina rental income	2,812,907	20,000	2,832,907
- Interest income	2,668,675	70,034	2,738,709
- Loan from City	1,000,000	-	1,000,000
- Grants (Fla. Inland Navig.; shoreline restore.)	350,000	-	350,000
- Other Grants	•	5,000	5,000
- St. sales tax (receipt - income for pmt. to St)	174,653	3,500	178,153
- Daughters of Israel contribreloc. Mikvah	28,000	-	28,000
- Consulting fee refund-Rahn S. Beach	27,026	-	27,026
- Olympus Hldgreimb. Portofino advertsg.	24,405	-	24,405
- Mendelson environ. reimb./refund	10,000	-	10,000
- Regosa Engineering refund - Marina	8,500	-	8,500
- Portofino DRI Payment from Greenberg T.	18,056	-	18,056
- Payment received from Greenberg T. for CME	3 23,500	-	23,500
- Payment received from Olympus Holdings, Inc	c. 96,276	-	96,276
- Payment received from Marquesa, Inc.	2,000	-	2,000
- Cost of asbestos remediation reimbCobb	5,800	-	5,800
- Miscellaneous income	4,719	-	4,719
- Galbut & Galbut contribreloc. Mikvah	3,500		3,500
- Murano Two, Ltd-Cash Bond per Agreement	242,000	-	242,000
- Other (void ck; IRS refund; Am. Bonding)	41,666	35	41,701
Total Revenues	85,330,354	15,862,669	\$ 101,193,023
EXPENDITURES			
PROJECTS			
Cobb/Courts	(15,608,223)	-	(15,608,223)
Marina	(5,573,542)	(2,798)	(5,576,340)



Redevelopment Agency - South Pointe District Summary of Cash Basis Transactions by Project Fiscal Years 1988 - 2004 (through February 29, 2004)

			Total
	Prior Years	FY 2004	Rev./Expend.
Portofino	(6,808,294)	(96,318)	(6,904,612)
South Pointe Streetscape	(8,325,661)	(205,729)	(8,531,390)
SSDI	(5,954,550)	(492,391)	(6,446,941)
Fifth St. Beautification	(300,000)	-	(300,000)
Beach Colony (l'scape/stscape/site imprvmt)	(80,912)	-	(80,912)
Marriott	(53,061)	-	(53,061)
Washington Ave.	(468,669)	-	(468,669)
Design guidelines	(43,708)	-	(43,708)
MBTMA/Mobility	(32,225)	-	(32,225)
S. Pointe Zoning	(20,819)	-	(20,819)
Alaska Baywalk	(38,876)	(18,223)	(57,099)
Victory/Community Gardens	(27,083)	(33,449)	(60,532)
Miscellaneous	(56,159)	-	(56,159)
Total Projects	(43,391,782)	(848,908)	(44,240,690)
<u>ADMINISTRATIVE</u>	(5,117,012)	(61,415)	(5,178,427)
Debt Service/Loan Repayment	(12,350,407)	(805,034)	(13,155,441)
<u>Miscellaneous</u>			
Carner Mason settlement	(946,163)		(946,163)
City of Miami Beach (reimburse water main)	(74,067)	-	(74,067)
Miscellaneous	(24,503)	-	(24,503)
_	(1,044,733)	-	(1,044,733)
Total expenditures	(61,903,934)	(1,715,357)	\$ (63,619,291)
ENDING CASH/INVSTMT. BALANCE	24,468,150	\$ 38,615,462	

Redevelopment Agency - South Pointe District Summary of Cash Basis Transactions by Expenditure Type Fiscal Years 1988 - 2004 (through February 29, 2004)

		- 1,000,1	Total
	Prior Years	FY 2004	Rev./Expend.
OPENING CASH/INVSTMT BALANCE \$	1,041,730	\$ 24,468,150	
REVENUE			
- Tax increment - City	35,587,488	8,158,214	\$ 43,745,702
- Tax increment - County	30,126,612	7,013,077	37,139,689
- Tax increment (Interest) - County	26,627	-	26,627
- Tax increment - Children's Trust		592,809	592,809
- Bond proceeds	6,860,000	, -	6,860,000
- Cobb Partners - Closing Parcel 1, 2	5,187,944	-	5,187,944
- Marina rental income	2,812,907	20,000	2,832,907
- Interest income	2,668,675	70,034	2,738,709
- Loan from City	1,000,000	-	1,000,000
- Grants (Fla. Inland Navig.; shoreline restore.)	350,000	-	350,000
- Other Grants	·	5,000	5,000
- St. sales tax (receipt - income for pmt. to St)	174,653	3,500	178,153
- Daughters of Israel contribreloc. Mikvah	28,000	-	28,000
- Consulting fee refund-Rahn S. Beach	27,026	-	27,026
- Olympus Hldgreimb. Portofino advertsg.	24,405	-	24,405
- Mendelson environ, reimb./refund	10,000	-	10,000
- Regosa Engineering refund - Marina	8,500	· -	8,500
- Portofino DRI Payment from Greenberg T.	18,056	-	18,056
- Payment received from Greenberg T. for CMB	23,500	-	23,500
- Payment received from Olympus Holdings, Inc.	96,276	-	96,276
- Payment received from Marquesa, Inc.	2,000	-	2,000
- Cost of asbestos remediation reimbCobb	5,800	-	5,800
- Miscellaneous income	4,719	-	4,719
- Galbut & Galbut contribreloc. Mikvah	3,500	-	3,500
- Murano Two, Ltd-Cash Bond per Agreement	242,000	-	242,000
- Other (void ck; IRS refund; Am. Bonding)	41,666	35_	41,701
Total Revenues	85,330,354	15,862,669	\$ 101,193,023
Expenditures			
Land acquisition	(9,444,065)	_	\$ (9,444,065)
Legal fees/costs	(6,724,780)	(109,268)	(6,834,048)
Professional services	(3,732,276)	(194,315)	(3,926,591)
Construction	(13,636,259)	(492,391)	(14,128,650)
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Redevelopment Agency - South Pointe District Summary of Cash Basis Transactions by Expenditure Type Fiscal Years 1988 - 2004 (through February 29, 2004)

			Total
	Prior Years	FY 2004	Rev./Expend.
Utilities relocation	(1,873,213)	-	(1,873,213)
Environmental	(397,344)	-	(397,344)
Submerged land lease	(1,719,239)	-	(1,719,239)
Lease agreements	(2,433,437)	-	(2,433,437)
Miscellaneous	(2,148,965)	(4,287)	(2,153,252)
Property Taxes	(226,942)	(48,647)	(275,589)
Administration	(5,117,012)	(61,415)	(5,178,427)
Debt Service/loan repayment	(12,350,407)	(805,034)	(13,155,441)
Miscellaneous Project Costs	(2,099,995)		(2,099,995)
	(61,903,934)	(1,715,357)	\$ (63,619,291)
ENDING CASH/INVSTMT. BALANCE	\$ 24,468,150	\$ 38,615,462	

CHECK & WIRE TRANSFER REGISTER

SORTED BY

PROJECT & TYPE OF EXPENDITURE

FOR THE MONTH ENDED FEBRUARY 29, 2004



Redevelopment Agency - South Pointe District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
	04/45/04	*****/-:-!	0.00		Administration
6162	01/15/04	***Void***	0.00		Administration
6104	10/16/03	Anna Parekh	91.65	Miscellaneous-telephone	Administration
6116	10/27/03	International Council Of Shopping Centers	135.00	Registration Fee	Administration
6125	11/12/03	International Council Of Shopping Centers	260.00	Registration Fee	Administration
6132	11/21/03	International Council Of Shopping Centers	30.00	Registration Fee	Administration
6158	01/12/04	Department of Community Affairs	200.00	Annual Special District Fee	Administration
6159	01/12/04	Anna Parekh	81.76	Miscellaneous-telephone	Administration
6175	01/30/04	Iron Mountain	83.18	Miscellaneous-storage	Administration
6176	01/30/04	CREW-Miami	260.00	Miscellaneous-membership	Administration
6180	02/03/04	Federal Express	16.67	Miscellaneous-courier	Administration
6183	02/10/04	City of Miami Beach	288.00	Miscellaneous-trip	Administration
6185	02/12/04	Iron Mountain	41.59	Miscellaneous-storage	Administration
6193	02/27/04	Toshiba Business Solution	192.88	Miscellaneous-copier usage	Administration
			1,680.73		
6110	10/23/03	Corporate Express	60.00	Office Supplies	Administration
6126	11/14/03	Corporate Express	66.21	Office Supplies	Administration
6128	11/14/03	Corporate Express	20.04	Office Supplies	Administration
6165	01/15/04	Corporate Express	27.15	Office Supplies	Administration
6182	02/10/04	Corporate Express	168.59	Office Supplies	Administration
6191	02/25/04	Corporate Express	13.98	Office Supplies	Administration
			355.97		
			200 70	Only Tax	8 desiminates
Wire	10/15/03	Florida Department of Revenue	299.79	Sales Tax	Administration
Wire	11/18/03	Florida Department of Revenue	682.50	Sales Tax	Administration
Wire	12/18/03	Florida Department of Revenue	682.50	Sales Tax	Administration
Wire	01/20/04	Florida Department of Revenue	682.50	Sales Tax	Administration
			2,347.29		
6139	12/11/03	City of Miami Beach	131.37	Mailing	Administration
			131.37		
6139	12/11/03	City of Miomi Popoh	200.91	Printing	Administration
0139	12/11/03	City of Miami Beach	200.91	Finding	Autimoration
6095	10/10/03	David Wood Temporaries	137.56	Prof. Services/Temp. Labor	Administration
6102	10/16/03	David Wood Temporaries	152.65	Prof. Services/Temp. Labor	Administration
6108	10/23/03	KPMG, LLP	5,000.00	Prof. Services/Audit.	Administration
6117	10/27/03	David Wood Temporaries	159.75	Prof. Services/Temp. Labor	Administration
6121	11/06/03	David Wood Temporaries	196.43	Prof. Services/Temp. Labor	Administration
6122	11/06/03	David Wood Temporaries	196.43	Prof. Services/Temp. Labor	Administration
6129	11/14/03	David Wood Temporaries	137.27	Prof. Services/Temp. Labor	Administration
6130	11/19/03	David Wood Temporaries	188.15	Prof. Services/Temp. Labor	Administration
6133	11/26/03	David Wood Temporaries	157.39	Prof. Services/Temp. Labor	Administration
6137	12/04/03	David Wood Temporaries	157.38	Prof. Services/Temp. Labor	Administration
6141	12/11/03	David Wood Temporaries	157.98	Prof. Services/Temp. Labor	Administration
6142	12/11/03	David Wood Temporaries	640.17	Prof. Services/Temp. Labor	Administration
6146	12/17/03	David Wood Temporaries	239.63	Prof. Services/Temp. Labor	Administration
6150	12/31/03	David Wood Temporaries	246.73	Prof. Services/Temp. Labor	Administration
6177	01/30/04	Squire, Sanders & Dempsey, LLP	760.46	Prof. Services - Legal	Administration
6187	02/17/04	David Wood Temporaries	124.55	Prof. Services/Temp. Labor	Administration
		•	8,652.53	•	
140	40/47/00	March Baroli Badaratan 11	40,000,000,00	Townstants Education T 11 m C 12 m C	A shoots to top (!
Wire	10/17/03	Miami Beach Redevelopment Agency	18,393,283.00 18,393,283.00	Transfer to Fiduciary Trust Int'l for Investment Purposes.	Administration
			,000,200.00		
Wire	11/03/03	Fiduciary Trust International	10,729.57	Accrued interest on investment purchase	Administration
Wire	11/10/03	Fiduciary Trust International	17,837.05	Accrued interest on investment purchase	Administration
Wire	12/02/03	Fiduciary Trust International	163.93	Accrued interest on investment purchase	Administration
Wire	01/30/04	Fiduciary Trust International	19,313.86	Accrued interest on investment purchase	Administration
			48,044.41		
		TOTAL ADMINISTRATION	18,454,696.21		
	•		10,454,030.21		

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Redevelopment Agency - South Pointe District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
Wire	01/28/04	Wachovia Bank	868,580.31	Tranfer for 6/04 & 12/04 D.S. (from GF)	Debt Service Funding
		_	868,580.31		
Wire	12/01/03	Wachovia Bank	735,000.00	Debt Service Payment-Principal	Debt Service Payment
Wire	12/01/03	Wachovia Bank	70,034.38 805,034.38	Debt Service Payment-Interest	Debt Service Payment
		TOTAL DEBT SERVICE	1,673,614.69		
6147	12/19/03	Florida Power & Light	2,129.72	Utilities - Parking Garage	Marina
6156	01/09/04	Florida Power & Light	302.79	Utilities - Parking Garage	Marina
6186	02/12/04	Florida Power & Light	365.31 2,797.82	Utilities - Parking Garage	Marina
		-	2,191.02		
		TOTAL MARINA	2,797.82		
6105	10/23/03	Jorden Burt Boros Cicchetti Berenson & Johnson LL	.F 702.60	Legal Fees	Portofino
6106	10/23/03	Jorden Burt Boros Cicchetti Berenson & Johnson LL		Legal Fees	Portofino
6144	12/17/03	Jorden Burt Boros Cicchetti Berenson & Johnson LL	.F 1,926.91	Legal Fees	Portofino
6145	12/17/03	Jorden Burt Boros Cicchetti Berenson & Johnson LL		Legal Fees	Portofino
6163	01/15/04	Jorden Burt Boros Cicchetti Berenson & Johnson LL		Legal Fees Legal Fees	Portofino Portofino
6164 6166	01/15/04 01/20/04	Jorden Burt Boros Cicchetti Berenson & Johnson LL Jorden Burt Boros Cicchetti Berenson & Johnson LL	•	Legal Fees	Portofino
6189	02/25/04	Jorden Burt LLP	6,651.25	Legal Fees	Portofino
6190	02/25/04	Akerman Senterfitt	1,364.51	Legal Fees	Portofino
6194	02/27/04	Jorden Burt LLP	3,449.18	Legal Fees	Portofino
		_	28,132.82		
6123	11/06/03	Miami-Dade County Tax Collector	23,559.88	Ad Valorem Prop. Tax - Murano	Portofino
6124	11/06/03	Miami-Dade County Tax Collector	25,086.93	Ad Valorem Prop. Tax - Yacht Club	Portofino
		-	48,646.81		
6091	10/06/03	Hazen & Sawyer, P.C.	5,091.56	Prof. Mgmt. Service - Murano	Portofino
6109	10/23/03	Hazen & Sawyer, P.C.	9,491.05	Prof. Mgmt. Service - Murano	Portofino
6131	11/21/03	Hazen & Sawyer, P.C.	2,968.73	Prof. Mgmt. Service - Murano	Portofino
6160	01/12/04	Hazen & Sawyer, P.C.	843.02		Portofino Portofino
6174	01/03/04	Hazen & Sawyer, P.C.	1,143.14	Prof. Mgmt. Service - Murano	Portolino
		_		14 0 1 DI 1 (00DI Nodio)	Destables
6101	10/15/03	Murano Two, Ltd.	352,405.38	Murano Grande-Phase I (SSDI-North) Murano Grande-Phase I (SSDI-North)	Portofino Portofino
6140 6148	12/11/03 12/19/03	Murano Two, Ltd. Murano Two, Ltd.	131,343.43 8,642.18	Murano Grande-Phase I (SSDI-North)	Portofino
0140	12/18/03	widiano Two, Liu.	492,390.99	Marano Grando i Maso i (OCD) Moranj	T O COMING
		TOTAL PORTOFINO	588,708.12		
6087	10/06/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	12,629.50	Legal Fees	S. Pointe Streetscape
6088	10/06/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	14,084.69	Legal Fees	S. Pointe Streetscape
6089	10/06/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	23,503.66	Legal Fees	S. Pointe Streetscape
6090	10/06/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	9,852.25	Legal Fees	S. Pointe Streetscape S. Pointe Streetscape
6093 6118	10/07/03 10/27/03	Siegfried, Rivera, Lerner, De La Torre & Sobel Siegfried, Rivera, Lerner, De La Torre & Sobel	7,712.54 10,622.12	Legal Fees Legal Fees	S. Pointe Streetscape
6135	12/04/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	2,619.20	Legal Fees	S. Pointe Streetscape
6151	12/31/03	Siegfried, Rivera, Lerner, De La Torre & Sobel	110.69	Legal Fees	S. Pointe Streetscape
		-	81,134.65		
6172	01/28/04	AAA Automated Door Repair, Inc.	1,489.00	Miscellaneous (Installation of Security Gate)	S. Pointe Streetscape
		· -	1,489.00		
6092	10/07/03	City of Miami Beach	100,000.00	Reimb. CMB Art in Public Places (AIPP)	S. Pointe Streetscape
6094	10/07/03	Wolfberg Alvarez	7,915.80	Professional Services-SP Street Ph. 2	S. Pointe Streetscape
6096	10/10/03	Wolfberg Alvarez	818.36	Professional Services-SP Street Ph. 2	S. Pointe Streetscape
6111 6112	10/27/03 10/27/03	Hazen & Sawyer, P.C. Hazen & Sawyer, P.C.	1,570.92 1,540.41	Professional Mgmt. Services Professional Mgmt. Services	S. Pointe Streetscape S. Pointe Streetscape
0112	10/21/03	Hazon & Gawyon, F.G.	1,340.41	i Totossional Mgmit. Oci Vices	o. i omio oneciacape



Redevelopment Agency - South Pointe District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

C	neck#	Date	Payee	Amount	Type of Expense	Project or N/A
				0.040.00	B. C. C. IM of Godfood	C. Dainta Charatanana
	6113	10/27/03	Hazen & Sawyer, P.C.	2,019.96	Professional Mgmt. Services	S. Pointe Streetscape S. Pointe Streetscape
	6114	10/27/03	Hazen & Sawyer, P.C.	634.42 241.18	Professional Mgmt. Services Professional Mgmt. Services	S. Pointe Streetscape
	6115	10/27/03	Hazen & Sawyer, P.C. Wolfberg Alvarez	3.430.21	Professional Services-SP Street Ph. 2	S. Pointe Streetscape
	6134 6157	11/26/03 01/12/04	Hazen & Sawyer, P.C.	3,189.54	Professional Mgmt. Services	S. Pointe Streetscape
	6181	02/10/04	Hazen & Sawyer, P.C.	1,743.74	Professional Mgmt. Services	S. Pointe Streetscape
	0101	02/10/04	Hazeli a dawyci, i .d.	123,104.54	, 1 Totobalonal mgmill between	
				,	•	
			TOTAL S. POINTE STREETSCAPE	205,728.19		
	6107	10/23/03	The Gordian Group, Inc.	3,421.38	Professional Services	Victory Gardens
	6161	01/15/04	Carivon Construction Co.	2,893.38	Professional Services	Victory Gardens
	6171	01/20/04	Carivon Construction Co.	20,749.79	Professional Services	Victory Gardens
,	6184	02/10/04	Andrew Reid	6,385.00	Professional Services	Victory Gardens
				33,449.55		
			TOTAL VICTORY GARDENS	33,449.55		
			TOTAL HOTOKI GARDENO	00,110.00	•	
(6097	10/14/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
1	6098	10/14/03	Country Bills Lawn Maintenance	480.00	Service Contract	Alaska Baywalk
	6099	10/14/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
(3100	10/14/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3103	10/16/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3119	11/04/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3 12 0	11/04/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3127	11/14/03	Armor Security, Inc.	1,374.24	Security Services	Alaska Baywalk
	3136	12/04/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3138	12/11/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	5143	12/11/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3149	12/31/03	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3152	01/09/04	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3153 3154	01/09/04 01/09/04	Armor Security, Inc.	687.12 687.12	Security Services Security Services	Alaska Baywalk Alaska Baywalk
	315 4 3155	01/09/04	Armor Security, Inc. Armor Security, Inc.	687.12	Security Services Security Services	Alaska Baywalk
	3167	01/09/04	Country Bills Lawn Maintenance	384.00	Service Contract	Alaska Baywalk
	5168	01/20/04	Country Bills Lawn Maintenance	384.00	Service Contract	Alaska Baywalk
	3169	01/20/04	Country Bills Lawn Maintenance	480.00	Service Contract	Alaska Baywalk
	3170	01/20/04	Country Bills Lawn Maintenance	384.00	Service Contract	Alaska Baywalk
	3173	01/28/04	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3178	01/30/04	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
	3179	02/03/04	Armor Security, Inc.	687.12	Security Services	Alaska Baywalk
(3188	02/17/04	Armor Security, Inc.	1,374.24	Security Services	Alaska Baywalk
(3192	02/26/04	Delta Fountains	309.35	Fountain replacements parts	Alaska Baywalk
•	3195	02/27/04	Armor Security, Inc.	1,374.24	Security Services	Alaska Baywalk
				18,225.11		•
			TOTAL ALASKA BAYWALK	18,225.11		
			I VIAL ALASKA DAI WALK	10,223.11		

REPORT TOTAL

\$ 20,977,219.69

ATTACHMENT "A"

SUMMARY OF MAJOR PROJECTS



REDEVELOPMENT PROJECTS (Planned and/or Underway)

South Pointe Projects:

Project

Status - as of 2/29/04

Courts and Cosmopolitan Project (Formerly the Courts of South Beach)

A Mediterranean town-house development located between First and Second Streets and between Alton Road and Washington Avenue. The project is the subject of a Development Agreement, executed by the RDA in 1989. Phases I, II, III and V, made up of residential and commercial are complete. Phase IV, consisting of 231 residential units and 10 commercial units is expected to be completed by Spring 2004.

In conformance with the original Development Agreement, the developer completed construction of a Piazza/bus station shelter located on Alton Rd. at 2nd Street which includes landscaping and pavers. Additionally, the developer has commenced streetscape improvements to be constructed from Meridian to Washington on 1st and 2nd Streets. Streetscape improvements will include new paving, sidewalks, drainage and landscaping.

Since the execution of the original Development Agreement, the development rights have transitioned to two additional developers. Groupe Pacific is currently the Developer of Record.

Total Project Cost: Est. \$100 Million

Total CRA participation: Est. \$16.5 Million - Land acquisition and related administrative and construction expenses.

Library Project

As part of the Courts Settlement Agreement, the RDA has exercised an option to purchase and contribute to the City of Miami Beach, a 5,000 square foot commercial condominium space in Phase I of the project, which is to be utilized as a Library or for other public usage that is mutually agreed to by the parties. The RDA shall pay \$275,000 in 10 yearly installments commencing on the closing date, which is scheduled to occur on September 30, 2004.

Total Project Cost: \$795,000 Total CRA participation: \$275,000

Community/Victory Garden

In an effort to provide increased parking in the South Pointe area, and in an effort to maximize the future use of City assets, the Community Garden located at 131-139 Washington Avenue will be moved to 224 Collins Avenue. From March 2001 through September 2001, several Community meetings were held to discuss this issue with residents and City Staff.

1

Project

Community/Victory (con't)

Status - as of 2/29/04

In January 2002, an Architectural and Engineering Firm was selected, and on March 19, 2003, the Board ratified the selection of the artist for the project as recommended by the Art in Public Places Committee. Construction documents are 100% complete. The project, which will be handled through the JOC process, is projected to be completed by March of 2004.

Total Project Cost: Est. \$168,800 Total CRA participation: Est. \$168,800

Portofino

Development of the Miami Beach Marina (SSDI North & South) and several other properties owned by the Portofino Group in the South Pointe Area. Portofino's properties west of Washington Ave. are subject to a DRI and their development is conditioned by a Settlement Agreement with the RDA (1998). The first phase involving Portofino Tower, a 228-unit luxury condominium was completed in 1997. The second phase is the Yacht Club at Portofino a 361-unit luxury condominium, on the south part of the Marina (SSDI South), and the adjacent Murano Tower, a 189-unit luxury condominium, which was completed in 2002. The RDA's responsibilities relative to these developments include the reimbursement to the Developer for utility relocations, the completion and repair of the seawall and baywalk, public parking for the Marina (located in the first floor of each of the parking garages) and certain streetscape improvements. The third phase, involving the construction of two luxury condominium towers, Murano Grande and Icon, which will house approximately 555 units, is underway. Murano Grande is in the process of obtaining a final CO. The construction of the ICON project is expected to take 12 months to complete.

Total CRA participation: Est. \$14 Million - utility relocations, completion and repair of the seawall and baywalk, public parking for the Marina and certain streetscape improvements.

Temporary Alaska Parcel Baywalk

In connection with parking lots constructed south of South Pointe Drive, and pursuant to a Planning Board Order issued on August 22, 2001, the property owner of the Alaska Parcel agreed to grant the City/RDA a temporary non-exclusive baywalk access easement over and upon the setback area solely for the purposes of public access and to allow the City/RDA to construct, operate and maintain a temporary baywalk for the duration of the period of time that the Alaska Bayfront Assemblage is utilized for temporary parking purposes. Consequently, on May 29, 2002, Resolution 421-2002 was passed appropriating \$171,000 from South Pointe Tax Increment Funds for the construction costs of a temporary pedestrian baywalk. On March 19, 2003, Resolution 447-2003 accepted a grant of a temporary baywalk easement, and



Project

Status - as of 2/29/04

Temporary Alaska Parcel Baywalk (con't)

further appropriated an amount not to exceed \$60,000 for the operation and maintenance of the baywalk. Construction of the temporary baywalk was completed in August, 2003.

Total CRA participation: \$231,000 for construction, operation and maintenance of baywalk.

Streetscape Improvements

A \$27 million streetscape improvement project for the South Pointe Area, based on a Master Plan and preliminary design by Duany Plater-Zyberk and endorsed by South Pointe Advisory Board; Phase I of the streetscape improvements, comprising Third Street and Washington Avenue, including its two-block extension in South Pointe Park, was completed in October 2002. Design and planning of Phase II of the streetscape improvements for the area between 5th Street and 2nd Street, and between Washington Ave. and Alton Road, is approximately 50% complete. On September 25, 2002, the Commission approved an A/E services contract. A second Community Design Workshop took place on May 1, 2003. Construction is scheduled to commence in the fall of 2004 and is projected to take 16 months to complete.

Relocation of 72" Drain Pipe

The relocation of a 72" drainage pipe and corresponding outfall, along the south side of the MacArthur Causeway, from Alton Rd. to the water commenced in May 2003, and was completed in July, 2003.

Total Project Cost: Est. \$30 Million **Total CRA participation:** \$30 Million

South Pointe Park

Preparation and implementation of Master Plan for South Pointe Park, funded by a combination of tax increment and GO Bond funds. The project will include landscaping, lighting, pedestrian paths, parking and maintenance facilities.

Total Project Cost: \$5.2 Million **Total CRA participation:** \$3.2 Million

Waste Water Master Booster Pump Station

In order to address the City's need for a waste water master booster pump station, a design consultant is in the process of designing the facility on the city-owned triangular property which fronts Alton Road, between First Street and Commerce Street. Construction documents are approximately 30% complete. This project will partially be funded through Water and Sewer Bond funds and, due to site restrictions and resident/design considerations may require additional funds from the RDA.

Total Project Cost: TBD
Total CRA participation: TBD



Project

Status - as of 2/29/04

Art in Public Places

The required Art in Public Places component of the Public Plaza on Washington Avenue and Third Street, has been designed and is being constructed.

Total Project Cost: \$100,000

Total CRA participation: \$100,000

F:\DDHP\\$ALL\Anna\South Pointe\REDEVELOPMENT PROJECTS SOUTH PTE-Monthly2004.doc



CITY CENTER REDEVELOPMENT DISTRICT

FINANCIAL INFORMATION

FOR THE MONTH ENDED
FEBRUARY 29, 2004

Iliami Beach Redevelopment Agency 1700 Convention Center Drive Miami Beach, Florida 33139 Telephone: (305) 673-7295 Fax: (305) 673-7772



April 14, 2004

TO:

Jorge M. Gonzalez, Executive Director

FROM:

Patricia D. Walker, Chief Financial Officer

City of Miami Beach

City Center Redevelopment District Financial Information SUBJECT:

For the Five Months Ended February 29, 2004

At the July 15, 1998 Commission/Redevelopment Agency meeting a request was made for monthly financial information for the City Center Redevelopment District. The information has been compiled and is attached.

Historical Cash Basis Financial Information

The summary report included in the attached material, reflects that during the period from October 1, 1993 through February 29, 2004 approximately \$249,427,000 of revenues were received in the City Center District of the Redevelopment Agency ("RDA").

The primary sources of these revenues included approximately:

- \$ 108,779,000 Bond proceeds;
- 71,516,000 Incremental Ad Valorem tax;
- 19,190,000 Draws from the line of credit from the City of Miami Beach;
- 14.507.000 Resort tax contributions:
- \$ 8,930,000 - Anchor Garage receipts;
- 7.357,000 Interest income;
- 5,547,000 Loews Ground Lease receipts;
- 3,000,000 Loan from the City of Miami Beach;
- 2,700,000 Contributions from GMCVB toward debt service payments;
- \$\$\$\$ 1.976.000 - Reimbursements from other state and local agencies;
- 2,096,000 Anchor Shops receipts;
- 700,000 Contribution from CMB Parking Department;
- \$ 350,000 - RDP Royal Palm Ground Lease receipts; and
- 2,779,000 From various sources.

On the expenditure side, approximately \$220,289,000 has been expended from

SOUTH DOINTE Redevelopment District

CITY CENTED Redevelopment District

October 1, 1993 through February 29, 2004. These approximate expenditures were primarily made in the following areas:

```
$87,334,000 - Debt Service Payments;
$ 61,516,000 - Convention Center Hotel Project (Loews Hotel);
$ 18,248,000 - Hotel Garage Project;
$ 12,891,000 - African-American Hotel Project;
$ 10,218,000 - Lincoln Road/Bass Museum Loan Repayment to CMB;
 8,758,000 - Collins Park Cultural Center;
$ 5,711,000 - Administrative Costs;
$ 5,511,000 - Anchor Garage Operations;
 2,385,000 - Secondary Pledge Repayments (Resort Tax);
  3,271,000 - Colony Theater;
  1,631,000 - Beachwalk Project;
    963,000 - Lincoln Road Project;
$
    481,000 - Anchor Shops Operations;
    182,000 - Movie Theater Project; and
$ 1,189,000 - Other Project Costs.
```

The cash balance as of February 29, 2004 is approximately \$29,138,000. This balance consisted of the following amounts:

- \$ 9.883.000 Cash and Investments Balance
- \$ 8,304,000 Construction Accounts
- \$ 9,154,000 Fully Funded Debt Service Reserve Accounts
- \$ 1,797,000 Portion of Debt Service Payments, Held in Trust.



SUMMARY OF CASH BASIS TRANSACTIONS FOR THE MONTH ENDED FEBRUARY 29, 2004



Redevelopment Agency - City Center/Historic Convention Village Summary of Cash Basis Transactions by Project Fiscal Years 1994 - 2004 (through February 29, 2004)

	Prior Years	FY 2004	ı	Total Rev./Expend.
OPENING CASH/INVESTMENT BALANCE	\$	\$ 21,455,581		tev./Experia.
Section 1997				
REVENUE				
- Tax increment - County	26,068,412	6,574,994	\$	32,643,406
- Tax increment - City	30,669,084	7,611,555		38,280,639
 Tax increment (Interest) - County 	19,057	-		19,057
- Tax increment - Children's Trust	-	572,876		572,876
- Bond proceeds	108,779,453	-		108,779,453
- Rental income	9,300	-		9,300
 Anchor Garage receipts 	8,082,531	702,802		8,785,333
 Anchor Garage deposit card receipts 	16,376	1,480		17,856
- Anchor Shops rental income	1,755,238	288,675		2,043,913
- Anchor Shops rental deposits	52,230	-		52,230
- Loews Facility Use/Usage Fee	126,504	-		126,504
- Loews Ground Lease Receipts	5,338,198	208,335		5,546,533
- RDP Royal Palm Ground Lease Receipts	293,502	56,667		350,169
- Interest income	7,316,814	39,742		7,356,556
- Resort tax contributions	13,743,015	764,328		14,507,343
- Bid deposits - hotels	375,000	-		375,000
- Bid deposits - cinema	100,000	_		100,000
- Loan from City	3,000,000	_		3,000,000
- Line of credit from City	19,190,000	_		19,190,000
- Cultural Campus	1,975,762	_		1,975,762
- St. Moritz Hotel - refund/reimbursement	925,450	_		925,450
- Reimbursements (GMCVB/RE taxes/Grants)	3,864,530	_		3,864,530
- St. sales tax (receipt - income for pmt. to St)	634,787	71,477		706,264
- Miami City Ballet environmental clean-up	31,698	-		31,698
- Anchor Garage insurance reimbursement	26,170	_		26,170
- Real Estate taxes refund	20,110	56,585		56,585
- Miscellaneous	84,194	-		84,194
· ·	04,104	 		04,104
TOTAL REVENUE	232,477,305	 16,949,516	\$	249,426,821
EXPENDITURES				
<u>PROJECTS</u>	·			
African-American Hotel	(12,869,748)	(21,149)		(12,890,897)
Convention Hotel	(61,516,007)	-		(61,516,007)
Hotel Garage - Construction	(18,247,976)	-		(18,247,976)
Movie Theater Project	(182,200)	-		(182,200)
Lincoln Road	(892,440)	(70,754)		(963,194)
Beachwalk	(918,460)	(712,112)		(1,630,572)
Collins Park Cultural Center	(8,457,186)	(300,865)		(8,758,051)
Bus Prop. Ctr.	(159)	-		(159)

Redevelopment Agency - City Center/Historic Convention Village Summary of Cash Basis Transactions by Project Fiscal Years 1994 - 2004 (through February 29, 2004)

			Total
	Prior Years	FY 2004	Rev./Expend.
Chamber of Commerce Relocation Study	(2,000)		(2,000)
Colony Theater	(1,698,653)	(1,572,303)	(3,270,956)
Cultural Campus	(36)	· -	(36)
East/West Corridor	(88)		(88)
Electrowave	(3,161)	-	(3,161)
Garden Center	(93)	-	(93)
Guidelines	(12,450)	-	(12,450)
Old City Hall	(499)	-	(499)
17th Street Surface Lot	(251,563)	-	(251,563)
Streetscapes	(324,849)	-	(324,849)
6th Street Streetscape	(577)	-	(577)
Botanical Gardens	(30,302)	-	(30,302)
Transportation Mobility Study	(32,225)	_	(32,225)
Convention Center Storm Water Improve.	(16,595)	-	(16,595)
New World Symphony	(10,404)	(4,872)	(15,276)
Washington Avenue Streetscape	(7,251)	(19,650)	(26,901)
Rotunda	(15,000)	-	(15,000)
R.O.W. Improvements	-	(16,389)	(16,389)
Flamingo (16 St. Corridor)		(4,721)	(4,721)
Bass Museum	(311,377)	(124,267)	(435,644)
Total Projects	(105,801,299)	(2,847,082)	(108,648,381)
<u>ADMINISTRATION</u>	(5,686,007)	(25,479)	(5,711,486)
DEBT_SERVICE/LOAN REPAYMENT	(83,977,243)	(5,742,233)	(89,719,476)
CITY OF MIAMI BEACH/LOAN REPAYMENT	(10,217,727)	-	(10,217,727)
ANCHOR GARAGE OPERATIONS	(4,903,380)	(607,924)	(5,511,304)
ANCHOR SHOPS OPERATIONS	(436,067)	(44,580)	(480,647)
TOTAL EXPENDITURES	(211,021,723)	(9,267,298)	\$ (220,289,021)
ENDING CASH/INVSTMT. BALANCE	\$ 21,455,581	\$ 29,137,799	



Redevelopment Agency - City Center/Historic Convention Village Summary of Cash Basis Transactions by Expenditure Type Fiscal Years 1994 - 2004 (through February 29, 2004)

	Prior Years	FY 2004	Total Rev./Expend.
OPENING CASH/INVESTMENT BALANCE	6	\$ 21,455,581	
REVENUE			
- Tax increment - County	26,068,412	6,574,994	\$ 32,643,406
- Tax increment - City	30,669,084	7,611,555	38,280,639
- Tax increment (Interest) - County	19,057	-	19,057
- Tax increment - Children's Trust	-	572,876	572,876
- Bond proceeds	108,779,453	-	108,779,453
- Rental income	9,300	-	9,300
- Anchor Garage receipts	8,082,531	702,802	8,785,333
 Anchor Garage deposit card receipts 	16,376	1,480	17,856
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 Anchor Shops rental deposits 	52,230	-	52,230
 Loews Facility Use/Usage Fee 	126,504	-	126,504
- Loews Ground Lease Receipts	5,338,198	208,335	5,546,533
- RDP Royal Palm Ground Lease Receipts	293,502	56,667	350,169
- Interest income	7,316,814	39,742	7,356,556
- Resort tax contributions	13,743,015	764,328	14,507,343
- Bid deposits - hotels	375,000		375,000
- Bid deposits - cinema	100,000	-	100,000
- Loan from City	3,000,000	-	3,000,000
- Line of credit from City	19,190,000	-	19,190,000
- Cultural Campus	1,975,762	-	1,975,762
- St. Moritz Hotel - refund/reimbursement	925,450	-	925,450
- Reimbursements (GMCVB/RE taxes/Grants)	3,864,530	-	3,864,530
- St. sales tax (receipt - income for pmt. to St)	634,787	71,477	706,264
- Miami City Ballet environmental clean-up	31,698	-	31,698
- Anchor Garage insurance reimbursement	26,170	-	26,170
- Real estate taxes refund	_	56,585	56,585
- Miscellaneous	84,194	-	84,194
TOTAL REVENUE	232,477,305	 16,949,516	\$ 249,426,821
EXPENDITURES			
Administrative fees	(31,684)		(31,684)
	(125,368)	-	(125,368)
Appraisal fees Bid refund	(230,000)	-	(230,000)
Board up	(60,758)	-	(60,758)
Bond costs	(211,440)		(211,440)
Building permit fees	(173,269)	_	(173,269)
Construction	(47,517,407)	(211,423)	(47,728,830)
Delivery	(2,995)	(211,423) -	(47,728,830)
Demolition	(203,195)	-	(203,195)
Electric service	(1,976)	- -	(1,976)
Environmental	(354,908)	-	(354,908)
Equipment rental	(53,465)	-	(53,465)
Hotel negotiation consultant	(849,243)	-	(849,243)
. 10to. Hogotiation conduitant	(0.10,2-10)		(0.70,2-10)

Redevelopment Agency - City Center/Historic Convention Village Summary of Cash Basis Transactions by Expenditure Type Fiscal Years 1994 - 2004 (through February 29, 2004)

			Total
	Prior Years	FY 2004	Rev./Expend.
Hotel selection/study	(263,357)	-	(263,357)
Land acquisition	(41,240,564)	-	(41,240,564)
Legal fees/costs	(2,672,921)	(19,649)	(2,692,570)
Lot clearing	(34,771)	-	(34,771)
Maintenance	(245,288)	(70,754)	(316,042)
Miscellaneous	(416,998)	(6,950)	(423,948)
Owner's representative fee & expenses	(1,823,466)	-	(1,823,466)
Postage, printing & mailing	(27,855)	-	(27,855)
Professional services	(1,532,434)	(794,785)	(2,327,219)
Public notice/advertisement	(26,472)	-	(26,472)
Refund of deposits	(185,000)	-	(185,000)
Reimburse closing costs to C.M.B.	(3,000,000)	-	(3,000,000)
Reimbursements	(78,041)	-	(78,041)
Relocation	(131,784)	. =	(131,784)
Revitalization	(534,793)	-	(534,793)
Security guard service	(277,825)	-	(277,825)
Streetscape	(401,312)	-	(401,312)
Temporary staffing	(7,119)	-	(7,119)
Title insurance	(25,271)	-	(25,271)
Traffic parking study	(8,600)	-	(8,600)
Training, conferences & meetings	(3,268)	-	(3,268)
Travel & related expenses	(28,730)		(28,730)
Utilities	(323,116)	(1,319)	(324,435)
Water/Sewer (impact fees)	(25,240)	-	(25,240)
Total	(103,129,933)	(1,104,880)	(104,234,813)
- Miscellaneous Projects	(2,671,366)	(1,742,202)	(4,413,568)
Total Projects	(105,801,299)	(2,847,082)	(108,648,381)
<u>ADMINISTRATION</u>	(5,686,007)	(25,479)	(5,711,486)
DEBT SERVICE/LOAN REPAYMENT	(83,977,243)	(5,742,233)	(89,719,476)
CITY OF MIAMI BEACH/LOAN REPAYMENT	(10,217,727)		(10,217,727)
ANCHOR GARAGE OPERATIONS	(4,903,380)	(607,924)	(5,511,304)
ANCHOR SHOPS OPERATIONS	(436,067)	(44,580)	(480,647)
TOTAL EXPENDITURES	(211,021,724)	(9,267,298)	\$ (220,289,021)
ENDING CASH/INVSTMT. BALANCE	\$ 21,455,581	\$ 29,137,799	

CHECK & WIRE TRANSFER REGISTER

SORTED BY

PROJECT & TYPE OF EXPENDITURE

FOR THE MONTH ENDED FEBRUARY 29, 2004

Redevelopment Agency - City Center District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

		1130	ar rear 2004 (tillough		Project or N/A
Check #	Date	Payee	Amount	Type of Expense	Project or N/A
3760	10/14/03	***Void***	0.00		Administration
3768	10/17/03	***Void***	0.00		Administration
3890	01/28/04	***Void***	0.00		Administration
3904	02/06/04	***Void***	0.00		Administration
3907	02/10/04	***Void***	0.00		Administration
3929	02/23/04	***Void***	0.00		Administration
3937	02/27/04	***Void***	0.00		Administration
			0.00		
3831	12/11/03	City of Miami Beach	306.52 306.52	Mailing	Administration
3769	10/17/03	Squire, Sanders & Dempsey, LLP	4,049.75	Legal Service - General Advice	Administration
3770	10/23/03	Department of Community Affairs	175.00	Miscellaneous (fee)	Administration
3773	10/27/03	Christina Cuervo	634.79	Miscellaneous	Administration
3776	10/27/03	Comet Courier Corp.	30.90	Miscellaneous	Administration
3780	11/04/03	Christina Cuervo	128.81	Miscellaneous	Administration
3793	11/12/03	International Council of Shopping Centers	260.00	Miscellaneous-Registration Fee	Administration
3816	11/21/03	International Council of Shopping Centers	30.00	Miscellaneous-Registration Fee	Administration
3831	12/11/03	City of Miami Beach	9.50	Miscellaneous-Carpool	Administration
3842	12/11/03	Iron Mountain Records Management	41.59	Miscellaneous-Storage	Administration
3861	12/31/03	Federal Express	17.10	Miscellaneous-Delivery to ICSC	Administration
3882	01/20/04	Iron Mountain Records Management	41.59	Miscellaneous-Storage	Administration
3894	01/20/04	Squire, Sanders & Dempsey, LLP	760.45	Legal Service	Administration
3934	02/25/04	First America Real Estate Solutions	119.01	Miscellaneous-Data Service	Administration
3935	02/25/04	Comet Courier Corp.	11.43	Miscellaneous-Courier	Administration
3938	02/27/04	Kent Bonde	10.00	Miscellaneous-Parking	Administration
3939	02/27/04	Toshiba Business Solutions	192.89	Miscellaneous-Copier Rental	Administration
3333	02/21/04	TOSHIDA DUSINESS COIDUOTIS	6,512.81	Wilder and Copies Tronker	,
3754	10/08/03	Corporate Express	96.01	Office Supplies	Administration
3772	10/23/03	Corporate Express	60.00	Office Supplies	Administration
3792	11/12/03	Corporate Express	66.21	Office Supplies	Administration
3796	11/14/03	Corporate Express	20.04	Office Supplies	Administration
3810	11/19/03	Corporate Express	82.00	Office Supplies	Administration
3812	11/19/03	Corporate Express	23.25	Office Supplies	Administration
3823	12/04/03	Corporate Express	59.03	Office Supplies	Administration
3874	01/12/04	Corporate Express	27.15	Office Supplies	Administration
3911	02/10/04	Corporate Express	168.59	Office Supplies	Administration
22	52 15/5 1		602.28		
3831	12/11/03	City of Miami Beach	195.91 195.91	Printing	Administration
3756	10/10/03	David Wood Temporaries	137.56	Prof. Services/Temp. Staff	Administration
3765	10/16/03	David Wood Temporaries	152.65	Prof. Services/Temp. Staff	Administration
3771	10/23/03	KPMG, LLP	5,000,00	Prof. Services/Audit.	Administration
3775	10/27/03	David Wood Temporaries	159.75	Prof. Services/Temp. Staff	Administration
3781	11/04/03	David Wood Temporaries	196.43	Prof. Services/Temp. Staff	Administration
3782	11/04/03	First Southwest Asset Management, Inc.	6,315.00	Prof. Services/Arbitrage	Administration
3787	11/06/03	David Wood Temporaries	196.44	Prof. Services/Temp. Staff	Administration
3795	11/14/03	David Wood Temporaries	137.26	Prof. Services/Temp. Staff	Administration
3811	11/19/03	David Wood Temporaries	188.15	Prof. Services/Temp. Staff	Administration
3819	11/26/03	David Wood Temporaries	157.38	Prof. Services/Temp. Staff	Administration
3825	12/04/03	David Wood Temporaries	157.39	Prof. Services/Temp. Staff	Administration
3843	12/11/03	David Wood Temporaries	157.97	Prof. Services/Temp. Staff	Administration
3844	12/11/03	David Wood Temporaries	646.39	Prof. Services/Temp. Staff	Administration
3848	12/17/03	David Wood Temporaries	239.62	Prof. Services/Temp. Staff	Administration
3858	12/29/03	David Wood Temporaries	246.73	Prof. Services/Temp. Staff	Administration
3925	02/17/04	David Wood Temporaries	124.55	Prof. Services/Arbitrage	Administration
0020	0217704	David Wood Temporalies	14,213.27	1101. Gelvices/Albitrage	Administration
Wire	10/17/03	Miami Beach Redevelopment Agency	2,161,917.00 2,161,917.00	Transfer to Fiduciary Trust Int'l for Investment Purposes.	Administration
Wire	01/26/04	Fiduciary Trust International	3,647.54 3,647.54	Accrued interest on investments purchased	Administration
		TOTAL ADMINISTRATION	2,187,395.33		
Wire	01/28/04	Miami Beach Redevelopment Agency	9,114,310.45 9,114,310.45	Tranfer for 6/04 & 12/04 D.S. (from GF)	Debt Service Funding



Redevelopment Agency - City Center District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

Fiscal Year 2004 (through February 29, 2004)								
Check #	Date	Payee	Amount	Type of Expense	Project or N/A			
147	40/04/00	Machania Danis	650,000.00	Debt Service Payment-Principal	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	,	•	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	585,000.00	Debt Service Payment-Principal	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	175,000.00	Debt Service Payment-Principal	•			
Wire	12/01/03	Wachovia Bank	670,000.00	Debt Service Payment-Principal	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	255,000.00	Debt Service Payment-Principal	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	595,596.88	Debt Service Payment-Interest	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	201,935.00	Debt Service Payment-Interest	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	908,147.50	Debt Service Payment-Interest	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	204,457.50	Debt Service Payment-Interest	Debt Service Payment			
Wire	12/01/03	Wachovia Bank	1,497,096.00	Debt Service Payment-Interest	Debt Service Payment			
******	12/01/00	Washovia Barik	5,742,232.88	2001 20 110 10 11	•			
		TOTAL DEBT SERVICE	14,856,543.33					
			4 500 00	Misseller and (TOOIs)	African-American Hotel			
3845	12/17/03	City of Miami Beach	1,500.00 1,500.00	Miscellaneous (TCO's)	Amcan-American notei			
3757	10/10/03	Bloom & Minsker	9,714.05	Professional fees/legal	African-American Hotel			
3818	11/26/03	Bloom & Minsker	3,506.10	Professional fees/legal	African-American Hotel			
3862	12/31/03	Bloom & Minsker	2,473.45	Professional fees/legal	African-American Hotel			
			2,262.00	Professional fees/legal	African-American Hotel			
3930	02/23/04	Bloom & Minsker		-	African-American Hotel			
3931	02/23/04	Bloom & Minsker	1,693.80 19,649.40	Professional fees/legal	Amcan-American notes			
		TOTAL AFRICAN-AMERICAN	21,149.40					
3745	10/06/03	Armor Security, Inc.	3,427.01	Security Services	Anchor Garage Operations			
3747	10/06/03	Armor Security, Inc.	3,229.87	Security Services	Anchor Garage Operations			
3799	11/19/03	Armor Security, Inc.	3,361.98	Security Services	Anchor Garage Operations			
3800	11/19/03	Armor Security, Inc.	3,085.91	Security Services	Anchor Garage Operations			
		▼ *		•	Anchor Garage Operations			
3801	11/19/03	Armor Security, Inc.	3,042.96	Security Services	Anchor Garage Operations			
3802	11/19/03	Armor Security, Inc.	3,199.40	Security Services				
3803	11/19/03	Armor Security, Inc.	3,061.37	Security Services	Anchor Garage Operations			
3814	11/20/03	Armor Security, Inc.	3,128.85	Security Services	Anchor Garage Operations			
3854	12/29/03	Armor Security, Inc.	3,812.90	Security Services	Anchor Garage Operations			
3863	12/31/03	Armor Security, Inc.	3,128.85	Security Services	Anchor Garage Operations			
3864	12/31/03	Armor Security, Inc.	3,141.12	Security Services	Anchor Garage Operations			
3878	01/15/04	Armor Security, Inc.	6,441.75	Security Services	Anchor Garage Operations			
3903	02/06/04	Armor Security, Inc.	3,855.85	Security Services	Anchor Garage Operations			
3905	02/06/04	Armor Security, Inc.	2,993.88	Security Services	Anchor Garage Operations			
3915	02/10/04	Armor Security, Inc.	3,355.85	Security Services	Anchor Garage Operations			
			52,267.55					
3746	10/06/03	Best's Maintenance & Janitorial Services, Inc.	2,924.00	Janitorial Service	Anchor Garage Operations			
3804	11/19/03	Best's Maintenance & Janitorial Services, Inc.	2,924.40	Janitorial Service	Anchor Garage Operations			
3853	12/19/03	Best's Maintenance & Janitorial Services, Inc.	2,924.40	Janitorial Service	Anchor Garage Operations			
3879	01/15/04	Best's Maintenance & Janitorial Services, Inc.	2,924.40	Janitorial Service	Anchor Garage Operations			
3921	02/12/04	Best's Maintenance & Janitorial Services, Inc.	2,924.40	Janitorial Service	Anchor Garage Operations			
3321	02/12/04	best's Maintenance & Janitonia Gervices, Inc.	14,621.60	Janitorial Col Vice	, alonor Gurago Oporacione			
9700	40/47/00	City of Miomi Panah		Proposy Management work	Anchor Garago Operations			
3766	10/17/03	City of Miami Beach	1,919.36	Properly Management Work	Anchor Garage Operations			
3809	11/19/03	City of Miami Beach	3,374.00	Property Management Work	Anchor Garage Operations			
3833	12/11/03	City of Miami Beach	4,332.63	Property Management Work	Anchor Garage Operations			
3885	01/20/04	City of Miami Beach	2,487.50	Property Management Work	Anchor Garage Operations			
3906	02/10/04	City of Miami Beach	2,035.03	Property Management Work	Anchor Garage Operations			
			14,148.52					
3790	11/06/03	City of Miami Beach	895.28	Utilities	Anchor Garage Operations			
3827	12/08/03	City of Miami Beach	961.58	Waste & Storm Water Impact Fee Nov. 2003	Anchor Garage Operations			
3869	01/08/04	City of Miami Beach	1,177.78	Waste & Storm Water Impact Fee Dec. 2003	Anchor Garage Operations			
3920	02/12/04	City of Miami Beach	1,315.59 4,350.23	Waste & Storm Water Impact Fee Jan. 2004	Anchor Garage Operations			
3786	11/06/03	City of Miami Beach	171.64	Reimb. CMB for Waste Mgmt	Anchor Garage Operations			
3870	01/09/04	Waste Management of Dade County	342.53	Waste Management for Nov. & Dec.2003	Anchor Garage Operations			
3876	01/15/04	Waste Management of Dade County	181.96	Waste Management for January 2004	Anchor Garage Operations			
3923	02/12/04	Waste Management of Dade County	182.51	Waste Management for February 2004	Anchor Garage Operations			
			878.64					
3840	12/11/03	Richard Rhodes	10.00	Return Parking Access Card Deposit	Anchor Garage Operations			
3841	12/11/03	Abderrahim Halmi	10.00	Return Parking Access Card Deposit	Anchor Garage Operations			
3850	12/17/03	Thomas Connell	10.00	Return Parking Access Card Deposit	Anchor Garage Operations			
3851	12/17/03	Janine Fischer	10.00	Return Parking Access Card Deposit	Anchor Garage Operations			
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Redevelopment Agency - City Center District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
3856	12/29/03	Angela Urena Roman	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3857	12/29/03	Charles Berk	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3871	01/12/04	Ned Johns	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3872	01/12/04	Hugo Gutierrez	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3886	01/20/04	Tropics Hotel	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3901	02/03/04	Locomotion	50.00	Return Parking Access Card Deposit	Anchor Garage Operations
3902	02/03/04	J & P Tiles	20.00	Return Parking Access Card Deposit	Anchor Garage Operations
3908	02/10/04	Ralph Peterson	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3909	02/10/04	Rodney Bailey	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3910	02/10/04	Zsolt Molnar	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
3917	02/12/04	The Wachenhut Corp	220.00	Return Parking Access Card Deposit	Anchor Garage Operations Anchor Garage Operations
3918	02/12/04	Peter Logsdon	10.00 420.00	Return Parking Access Card Deposit	Alichoi Garage Operations
			+20.00		
3785	11/06/03	BellSouth	277.39	Miscellaneous-Telephone Service	Anchor Garage Operations
3815	11/21/03	BellSouth	136.13	Miscellaneous-Telephone Service	Anchor Garage Operations
3852	12/19/03	BellSouth	123.98	Miscellaneous-Telephone Service	Anchor Garage Operations
3891	01/28/04	BellSouth	126.10	Miscellaneous-Telephone Service	Anchor Garage Operations
3940	02/27/04	BellSouth	125.36	Miscellaneous-Telephone Service	Anchor Garage Operations
			788.96		
3749	10/06/03	Payer Barking Captral System, Inc.	775.00	Miscellaneous-Service Contract.	Anchor Garage Operations
3807	11/19/03	Royce Parking Control System, Inc. Royce Parking Control System, Inc.	775.00	Miscellaneous-Service Contract	Anchor Garage Operations
3808	11/19/03	Royce Parking Control System, Inc.	775.00	Miscellaneous-Service Contract	Anchor Garage Operations
3868	12/31/03	Royce Parking Control System, Inc.	645.00	Miscellaneous-Service Contract	Anchor Garage Operations
3887	01/20/04	Royce Parking Control System, Inc.	775.00	Miscellaneous-Service Contract	Anchor Garage Operations
3933	02/23/04	Royce Parking Control System, Inc.	667.50	Gate cards	Anchor Garage Operations
			4,412.50		
3759	10/14/03	City of Miami Beach	806.00	Miscellaneous-Elevator maint.	Anchor Garage Operations
3764	10/15/03	City of Miami Beach	527.42	Reimb. CMB for Thyssen Miami Elevator	Anchor Garage Operations Anchor Garage Operations
3805	11/19/03	Thyssen Krupp Elevator	3,045.97 728.50	Elevator Service Elevator Service	Anchor Garage Operations
3830 3847	12/11/03 12/17/03	Thyssen Krupp Elevator Thyssen Krupp Elevator	3,410.00	Elevator Service	Anchor Garage Operations
3914	02/10/04	Thyssen Krupp Elevator	3,293.91		Anchor Garage Operations
0017	02310704	Thysself Rapp Elevator	11,811.80		
			, , , , , , , , , , , , , , , , , , , ,		
3783	11/04/03	Miami-Dade County Tax Collector	382,637.47	Miscellaneous-Property Taxes	Anchor Garage Operations
3791	11/12/03	City of Miami Beach	7.00	United Way Contrib. Collected 10/03	Anchor Garage Operations
3806	11/19/03	Country Bills Lawn Maintenance	228.00	Lawn Maintenance Lawn Maintenance	Anchor Garage Operations Anchor Garage Operations
3839 3875	12/11/03 01/15/04	Country Bills Lawn Maintenance Country Bills Lawn Maintenance	76.00 152.00	Lawn Maintenance	Anchor Garage Operations
3884	01/13/04	Corporate Express	197.10	Office Supplies	Anchor Garage Operations
3888	01/20/04	Country Bills Lawn Maintenance	152.00	Lawn Maintenance	Anchor Garage Operations
3893	01/30/04	Hi-Rise Safety Systems	1,500.00	Miscellaneous-Fire alarm maint.	Anchor Garage Operations
3898	01/30/04	Miami Fire Equipment	184.00	Miscellaneous	Anchor Garage Operations
3899	02/03/04	Brink's Incorporated	1,680.00	Brinks services	Anchor Garage Operations
3912	02/10/04	City of Miami Beach	4.00	United Way Contrib. Collected 11/03	Anchor Garage Operations
3922	02/12/04	Brink's Incorporated	420.00	Brinks services	Anchor Garage Operations
			387,237.57		
3859	40/20/02	Miami Dasah Dadayalanmant Inc	10 170 60	Facility Use / Usage Fee	Anchor Garage Operations
3009	12/30/03	Miami Beach Redevelopment, Inc.	10,470.69	racility Use / Usage Fee	Alciloi Galage Operations
			10,470.09		
3755	10/10/03	APCOA/Standard Parking	7,765.05	Salary Reimbursements	Anchor Garage Operations
3797	11/19/03	APCOA/Standard Parking	7,909.01	Salary Reimbursements	Anchor Garage Operations
3798	11/19/03	APCOA/Standard Parking	7,977.33	Salary Reimbursements	Anchor Garage Operations
3837	12/11/03	APCOA/Standard Parking	8,131.74	Salary Reimbursements	Anchor Garage Operations
3838	12/11/03	APCOA/Standard Parking	7,919.80	Salary Reimbursements	Anchor Garage Operations
3855	12/29/03	APCOA/Standard Parking	7,864.73	Salary Reimbursements	Anchor Garage Operations
3877	01/15/04	APCOA/Standard Parking	7,966.50	Salary Reimbursements	Anchor Garage Operations
3919	02/12/04	APCOA/Standard Parking	8,157.35	Salary Reimbursements	Anchor Garage Operations
3932	02/23/04	APCOA/Standard Parking	8,018.22 71,709.73	Salary Reimbursements	Anchor Garage Operations
			/ 1,100.13		
Wire	10/15/03	Florida Department of Revenue	7,513.22	Sales Tax Payment	Anchor Garage Operations
Wire	11/18/03	Florida Department of Revenue	8,630.80	Sales Tax Payment	Anchor Garage Operations
Wire	12/18/03	Florida Department of Revenue	9,426.49	Sales Tax Payment	Anchor Garage Operations
Wire	01/20/04	Florida Department of Revenue	9,235.66	Sales Tax Payment	Anchor Garage Operations
			34,806.17		
		TOTAL ANCHOR GARAGE OPER.	607,923.96		
			00.,020.00		



Redevelopment Agency - City Center District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

Fiscal Year 2004 (through February 29, 2004)					
Check #	Date	Payee	Amount	Type of Expense	Project or N/A
3783	11/04/03	Miami-Dade County Tax Collector	11,834.15	Miscellaneous-Property Taxes	Anchor Shops Oper.
			11,834.15		
3846	12/17/03	Miami Beach Community Development Corp	4,102.57	Reimb operating exp.	Anchor Shops Oper.
3873	01/12/04	Miami Beach Community Development Corp	3,947.84	Reimb operating exp.	Anchor Shops Oper.
3881	01/20/04	Miami Beach Community Development Corp	2,969.82	Reimb operating exp. Reimb operating exp.	Anchor Shops Oper. Anchor Shops Oper.
3913	02/10/04	Miami Beach Community Development Corp	2,969.82 13,990.05	Reitib operating exp.	Alono onopo opor.
Wire	10/15/03	Florida Department of Revenue	4,472.97	Sales Tax	Anchor Shops Oper.
3774	10/27/03	Florida Department of Revenue	90.03	Sales Tax	Anchor Shops Oper. Anchor Shops Oper.
Wire Wire	11/18/03 12/18/03	Florida Department of Revenue Florida Department of Revenue	2,831.72 7,300.71	Sales Tax Sales Tax	Anchor Shops Oper.
Wire	01/20/04	Florida Department of Revenue	4,059.62 18,755.05	Sales Tax	Anchor Shops Oper.
		TOTAL ANCHOR SHOPS OPER.	44,579.25		
3822	12/04/03	URS Corporation	108,761.00	Construction work-library	Collins Park Cultural Center
3896	01/30/04	URS Corporation	102,662.03 211,423.03	Construction work-library	Collins Park Cultural Center
3865	12/31/03	City of Miami Beach	534.40	Waste & Storm Water Impact Fee	Collins Park Cultural Center
3866	12/31/03	City of Miami Beach	165.20	Waste & Storm Water Impact Fee	Collins Park Cultural Center
3867	12/31/03	City of Miami Beach	619.60 5,473.00	Waste & Storm Water Impact Fee CMB Construction Management-Culture Campus	Collins Park Cultural Center Collins Park Cultural Center
3927 3927	02/23/04 02/23/04	City of Miami Beach City of Miami Beach	82,650.00		Collins Park Cultural Center
		·	89,442.20		
		TOTAL COLLINS PARK CULTURAL CENTE	R 300,865.23		
3834	12/11/03	City of Miami Beach	3,318.59	Salary Reimbursement	Colony Theater Restoration
3835	12/11/03	City of Miami Beach	3,318.59	Salary Reimbursement	Colony Theater Restoration
			6,637.18		
3752	10/07/03	City of Miami Beach	66,849.25	Transfer to CMB (Art in Public Places)	Colony Theater Restoration
3778	11/04/03	BellSouth	153.48	Miscellaneous-Telephone	Colony Theater Restoration
3824 3849	12/04/03 12/17/03	BellSouth AT&T	161.75 16.49	Miscellaneous-Telephone Miscellaneous-Telephone	Colony Theater Restoration Colony Theater Restoration
3860	12/31/03	BellSouth	144.38	Miscellaneous-Telephone	Colony Theater Restoration
3883	01/20/04	AT&T	49.27	Miscellaneous-Telephone	Colony Theater Restoration
3916	02/12/04	BellSouth	145.13	Miscellaneous-Telephone	Colony Theater Restoration
3926	02/17/04 02/26/04	AT&T	31.61 148.95	Miscellaneous-Telephone Miscellaneous-Telephone	Colony Theater Restoration Colony Theater Restoration
3936 3927	02/23/04	BellSouth City of Miami Beach	90,701.00		Colony Theater Restoration
5027	0220/01	Oily of Island Books	158,401.31		,
3744	10/06/03	McCartney Construction Company	215,941.30	Construction Costs	Colony Theater Restoration
3758	10/10/03	McCartney Construction Company	207,365.10	Construction Costs	Colony Theater Restoration
3820	12/04/03	McCartney Construction Company	239,071.66	Construction Costs Construction Costs	Colony Theater Restoration Colony Theater Restoration
3829 3895	12/11/03 01/30/04	McCartney Construction Company McCartney Construction Company	251,078.89 300,737.59	Construction Costs	Colony Theater Restoration
3928	02/23/04	McCartney Construction Company	165,524.93	Construction Costs	Colony Theater Restoration
			1,379,719.47		Colony Theater Restoration
3743	10/06/03	R.J. Heisenbottle Architects	13,477.53	Professional Services	Colony Theater Restoration
3821	12/04/03	R.J. Heisenbottle Architects	2,508.47	Professional Services	Colony Theater Restoration
3828	12/11/03	R.J. Heisenbottle Architects	5,406.54	Professional Services	Colony Theater Restoration
3892	01/30/04	R.J. Heisenbottle Architects	6,152.50 27,545.04	Professional Services	Colony Theater Restoration
		TOTAL COLONY THEATER RESTORATION	1,572,303.00		
3777	10/20/02	City of Miami Rooch	16,057.18	Reimb. CMB payment R.L. Saum Const.	Beachwalk Project
3777 3779	10/29/03 11/04/03	City of Miami Beach Coastal Systems International, Inc.	13,390.07	Professional Services	Beachwalk Project
3813	11/20/03	R.L. Saum Construction Co.	180,880.99	Professional Services	Beachwalk Project
3826	12/04/03	Coastal Systems International, Inc.	13,157.73	Professional Services	Beachwalk Project
3836	12/11/03	City of Miami Beach	5,450.00	Water Impact & Tap Fee for New 3" Irrigation	Beachwalk Project
3880 3889	01/20/04 01/20/04	Coastal Systems International, Inc. R.L. Saum Construction Co.	21,010.02 191,878.80	Professional Services Professional Services	Beachwalk Project Beachwalk Project
2009	0 1/20/04	N.E. Oquili Constituction Co.	131,010.00	i Totessional Oct viocs	Dadonwaik i Tojeot

Redevelopment Agency - City Center District Check & Wire Transfer Register by Project & Type of Expense Fiscal Year 2004 (through February 29, 2004)

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101/403	3750	10/06/03	Mercedes Electric Supply, Inc.	96.94	Lighting	Lincoln Road Improv. Project
1074/03	3753	10/07/03		19,326.36	Lighting	Lincoln Road Improv. Project
10/14/03 10/14/03	3761	10/14/03	City of Miami Beach	140.00		
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124,267.68 124,267.68 124,267.68 124,267.68 124,267.68 124,267.68 124,267.68	3794	11/14/03	The Gordian Group, Inc.		Contracting Services - Humidifiers	
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16,389.00 TOTAL R.O.W. 16,389.00			TOTAL FLAMINGO	4,721.00		
	3927	02/23/04	City of Miami Beach		CMB Construction Management	R.O.W.
REPORT TOTAL \$ 20.543.524.64			TOTAL R.O.W.	16,389.00		
			REPORT TOTAL	\$ 20,543,524,64		

ATTACHMENT "A" SUMMARY OF MAJOR PROJECTS

REDEVELOPMENT PROJECTS (Planned and/or Underway)

City Center Projects:

Project

Status - as of 02/29/04

Beachwalk Project

An at-grade, landscaped pedestrian beachwalk, connecting 21st Street to Lummus Park, designed and engineered by Coastal Systems International. The Project was permitted by the State of Florida in March, 1998. The Project was contested by a property owner and was stalled for almost 5 years in court. In November, 2001, the City received a Partial Notice to Proceed from the State of Florida as a result of a favorable finding for City by the courts. The full permit was issued in April 2002. Plans and bid specifications for the Beachwalk as well as the street-end improvements for 17th and 18th Street street-ends, which are part of the Beachwalk, have been updated and completed by the Architect. The Project was put out to bid during the last week of August 2002. Proposals were received during the last week of October. On November 13, 2002, the RDA awarded a contract to R. L. Saum Construction Co. to proceed with the project and appropriated \$3.7 million. Construction began during mid-March 2003 and is being phased as to mitigate adverse impact to area hotels and businesses fronting the beach. The project is anticipated to be completed in June/July 2004.

Total Project Cost: \$4.5 Million

Total CRA participation: \$4.5 Million - Construction

17th & 18th Street-end Project

The current layout of the 17th and 18th Street street-ends poses severe limitations for traffic circulation and parking. especially as it relates to the operations of the Delano and Ritz Plaza Hotels. Coastal Systems contract for the design of the Beachwalk was amended to include the development of conceptual plans and cost estimates for the extension of 17th and 18th Streets, seaward to the ECL. Coastal Systems is recommending extending and reconstructing both street-ends to match the Boardwalk motif. The street-end cul-de-sacs are proposed to be relocated approximately 50 to 70 feet east, respectively, to enhance the conditions of the streets and improve the street-end layout. Extension and reconstruction of the two street-ends will require demolition and reconstruction of the public right-of-way with new curbing, paver block sidewalks, asphalt pavement, striping and signage. Construction Drawings and specifications have been updated to reflect FDOT improvements and tie-ins on Collins Avenue. The Project was bid as part of the Beachwalk Project and will commence during Summer, 2004 so as minimize impact peak during off-season activities.

Total Project Cost (est): \$610,000

Total CRA participation: \$610,000 - Construction

Project

Status - as of 02/29/04

Collins Park Cultural Center

Implementation of a Master Plan calling for the development of a new regional library, streetscape and park improvements to link cultural activities in the area, including the Bass Museum and the Miami City Ballet. Land acquisition through eminent domain was completed in January 2002 and construction documents for the remaining portions of the Cultural Campus as identified in the Master Plan have been completed. On April 10, 2002, the City awarded the construction contract for the Library to the Tower Group. Construction began in May 2002 and achieved substantial completion in November 2003. A temporary certificate of occupancy (TCO) remains pending subject to the resolution of certain code requirements. Opening is anticipated in Spring, 2004. Negotiations with Stern Architects failed to reach an agreement for the design of Collins Park. As, such the scope of work for the Park was included in the Request for Qualifications for the Rotunda, which is part of the old library that will be preserved and converted into a public venue for performing arts and public functions. Proposals have since been submitted and the selection process is underway. The list of firms has been short-listed to three and a final recommendation is anticipated to be made to the City Commission during the first Commission meeting in April.

Total Project Cost: \$11.6 Million – includes land acquisition, streetscape and surrounding infrastructure improvements.

Total CRA participation: \$8.5 Million.

The City has engaged the State of Florida's Department of Management Services to manage the restoration and renovation of the Colony Theater. Preliminary plans call for the removal of the rear 45 feet of existing building, construction of a new stage house, small second and third floor service areas behind the stage, a fourth floor "Backstage" area, elevator, stairs, and the addition of a new vestibule and exterior access ramp to provide ADA access to the stage. The historic preservation scope involves removing the existing marquee and storefront on Lincoln Road to its original historic appearance and modifying the interior lobby, office and concession area to be more consistent with the building's original design. Construction drawings were completed on April 29, 2002. Due to delays with structural reviews and permitting, the Project start-up was delayed by approximately 6 months, beginning in late November, 2002, and is anticipated to be substantially complete by the end of 2004. To date, demolition of the main stage house, as well as, nonhistoric portions of the lobby are completed. Vertical construction on the site of the new stage house is well underway. On March 17, 2004, the RDA had to appropriate an additional \$1.6 Million towards the project to compensate for the loss of \$500,000 in State grant funds and to address certain unforeseen project costs, which is not untypical of historic renovation projects.

Total Project Cost: \$6.3 Million

Total CRA participation: \$4.5 Million - Construction

Colony Theater Project

Project

Status - as of 02/29/04

New World Symphony

The Administration has successfully negotiated a Lease and Development Agreement with the New World Symphony (NWS) regarding its proposed lease of a portion of the 17th Street Surface Parking Lot to accommodate its Sound Space design concept (the Project). As envisioned, the proposed 50,000 square foot facility will provide state-of-the-art communication and media capabilities with performance, classroom, rehearsal and broadcast space. In addition to providing a world-renowned, state-of-the-art facility, another focal point for the community, and the basis for considering the facility's location on this site, is that it will incorporate giant video screen(s) on one or more facades of the building, allowing the public to view live and recorded broadcasts from around the world. The Master Plan contemplates situating the facility on the west surface lot, just to the north of the exiting NWS Theater on Lincoln Road. On July 30, 2003, the Development Agreement between the City of Miami Beach and the New World Symphony, following a duly noticed public hearing, was approved on first reading. A second and final reading of the Development Agreement was held on September 10, 2003, together with a Resolution approving a Lease Agreement, following a separate public hearing.

Separately, but related to the implementation of the 17th Street Master Plan and the realization of NWS' plans, proposals have been received in response to an RFQ for architectural and planning services for the programming and design of the City Hall Expansion Lot parking facility. On February 4, 2004, the City Commission authorized negations to proceed with the firm of Perkins and Will.

Total Project Cost: Soundspace - Min. \$40 million; Parking component - \$5 million; Park component - \$10 million
Total CRA participation: TBD

City Center Right-of-Way Improvement Project

The City Center Right of Way (ROW) Infrastructure Improvement Project is a \$16 million infrastructure project which includes the restoration and enhancement of right-ofways/streetscapes throughout City Center, including roadway, sidewalk, curb and gutter, landscape, streetscape irrigation, lighting, potable water, and storm drainage infrastructure as needed. The estimated budget for the project is \$16,069,350. The estimated construction budget for the project is \$12,173,750. This estimated construction total includes \$6,577,500 for streetscape; \$4,296,250 for stormwater improvements; and \$1,300,000 for water Proposals have also been received in improvements. response to an RFQ for architectural and engineering services for the planning and design of the project. The selection process resulted in awarding negotiations to Chen and Associates.

Total Project Cost: \$16 million
Total CRA participation: \$16 million

CITY OF MIAMI BEACH REDEVELOPMENT AGENCY ITEM SUMMARY



Condensed Title:

A Resolution Of The Miami Beach Redevelopment Agency Authorizing The Executive Director, Or Designee, To Execute An Amendment To The Agreement Between The Miami Beach Redevelopment Agency And The State Of Florida Department Of Management Services, Facilities And Building Construction Division, For The Renovations And Restoration Of The Colony Theatre, Accepting Assignment Of The Contract Between The State And The Construction Manager, McCartney Construction Company, And Accepting The Assignment Of The Agreement Between The State And The Architect Of Record, RJ Heisenbottle Architects; Authorizing The Executive Director Or Designee To Negotiate And Execute Any Ancillary Agreements Necessary To Accomplish Said Assignments; Accepting The Voluntary Removal Of The State Of Florida Department Of Management Services From The Project; And Authorizing The Executive Director Or Designee To Negotiate And Execute An Agreement On Remaining Unpaid Fees Due To The State.

Issue:

Shall the City accept the assignment of the contract between the State of Florida Department of Management Services and McCartney Construction Company, and the assignment of the agreement between the State of Florida Department of Management Services and RJ Heisenbottle Architects on the Colony Theatre project?

Item Summary/Recommendation:

The Colony Theatre Renovation project began as a \$1.5 million concept project in early 1999. A series of cultural facilities grants were pieced together during the balance of that year and in October 1999, the City executed a Professional Services Agreement with the State of Florida Department of Management Services ("DMS") to provide design, pre-construction, and construction management at risk services. This is a follow-up item from the City Commission/RDA Board Meeting of March 17, 2004. During the discussion of the item, the City Commission/RDA Board of Directors raised the issue of whether the City needed both City staff and DMS to act as the "Contract Administrator" with regard to the construction effort at the Colony Theatre. The Administration was requested to explore two possibilities with DMS: 1) DMS to continue on the Project and forfeit any remaining fees; or 2) Assign the Agreements that DMS has with the Construction Manager (general contractor), McCartney Construction Company, and the Architect of Record, RJ Heisenbottle Architects, to the City and refund a portion, if not all, of the fees that the City paid to DMS.

The City advised DMS of these alternatives. DMS has formally advised the City that their intent is to terminate the agreement with the City pursuant to the termination clause within the Contract and will agree to assign the Construction Manager and Architect agreements to the City. Article 10 of the Agreement between DMS and the City, allows for termination "by either party upon seven (7) days' notice by mutual agreement, or should one party fail substantially to perform in accordance with its terms through no fault of the other." DMS has advised the City that it intends to process the current change order that was approved by the City Commission/RDA Board in its March 17, 2004 meeting to keep the project moving. After this is done, DMS would prefer to assign its contracts/agreements to the City and provide no further services.

Given the options available to the City and to DMS, the Administration recommends acceptance of the assignment of the Construction Manager contract and the Architect agreement from DMS. Since DMS has not invoiced the City for services since May 2002, it is recommended that the City Manager/Executive Director be authorized to negotiate and execute an agreement regarding the distribution of the remaining fees within the DMS Contract.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount Account	Approved
	And the state of t	
Finance Dept.	Total	

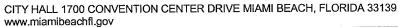
City Clerk's Office Legislative Tracking:

Tim Hemstreet, CIP Director

Sign-O	fs:			
	Department Director	Assistant City Manager	City Ma	nager
NO	X	145	Inc	
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AGENDA ITEM SA







Date: April 14, 2004

REDEVELOPMENT AGENCY MEMORANDUM

To:

Chairman David Dermer and

Members of Miami Beach Redevelopment Agency

From:

Jorge M. Gonzalez

Executive Director

Subject:

Director

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY AND THE STATE OF FLORIDA DEPARTMENT SERVICES. **FACILITIES** AND MANAGEMENT CONSTRUCTION DIVISION, **FOR** THE RENOVATIONS RESTORATION OF THE COLONY THEATRE, ACCEPTING ASSIGNMENT OF THE CONTRACT BETWEEN THE STATE AND THE CONSTRUCTION MANAGER. **MCCARTNEY** CONSTRUCTION COMPANY. ACCEPTING THE ASSIGNMENT OF THE AGREEMENT BETWEEN THE STATE AND THE ARCHITECT OF RECORD, RJ HEISENBOTTLE ARCHITECTS; AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO NEGOTIATE AND EXECUTE ANY ANCILLARY AGREEMENTS NECESSARY TO ACCOMPLISH SAID ASSIGNMENTS: ACCEPTING THE VOLUNTARY REMOVAL OF THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FROM THE PROJECT; AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO **NEGOTIATE AND EXECUTE AN AGREEMENT ON REMAINING UNPAID** FEES DUE TO THE STATE.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

The Colony Theatre Renovation project began as a \$1.5 million concept project in early 1999. A series of cultural facilities grants were pieced together during the balance of that year and in October 1999, the City executed a Professional Services Agreement with the State of Florida Department of Management Services ("DMS") to provide design, preconstruction, and construction management at risk services. This is a follow-up item from the City Commission/RDA Board Meeting of March 17, 2004. The RDA Board memorandum that explained the need for a substantial change order to keep the project moving appears as Attachment 1 to this memorandum.

During the discussion of the item, the City Commission/RDA Board of Directors raised the issue of whether the City needed both City staff and DMS to act as the "Contract Administrator" with regard to the construction effort at the Colony Theatre. The



COLONY THEATRE
Redevelopment Agency Memorandum
April 14, 2004
Page 2 of 2

Administration was requested to explore two possibilities with DMS:

- 1. DMS to continue on the Project and forfeit any remaining fees; or
- Assign the Agreements that DMS has with the Construction Manager (general contractor), McCartney Construction Company, and the Architect of Record, RJ Heisenbottle Architects, to the City and refund a portion, if not all, of the fees that the City paid to DMS.

The City advised DMS of these alternatives. DMS has formally advised the City that their intent is to terminate the agreement with the City pursuant to the termination clause within the Contract and will agree to assign the Construction Manager and Architect agreements to the City. DMS' letter to this effect is attached as Attachment 2.

Article 10 of the Agreement between DMS and the City, which is referred to in the DMS letter, allows for termination "by either party upon seven (7) days' notice by mutual agreement, or should one party fail substantially to perform in accordance with its terms through no fault of the other." DMS has advised the City that it intends to process the current change order for which funding was approved by the City Commission/RDA Board in its March 17, 2004 meeting to keep the project moving. After this is done, DMS would prefer to assign its contracts/agreements to the City and provide no further services.

Currently, DMS has not invoiced the City for services since May 2002, so consequently the City has not issued payment to DMS since that time. The current unpaid balance within the DMS agreement is approximately \$60,000. It is expected that DMS will invoice for a portion, if not all, of this amount since it may be due.

Given the options available to the City and to DMS, the Administration recommends acceptance of the assignment of the Construction Manager contract and the Architect agreement from DMS. Since DMS has not invoiced the City for services since May 2002, it is recommended that the City Manager/Executive Director be authorized to negotiate and execute an agreement regarding the distribution of the remaining fees within the DMS Contract.

JMG/RCM/TH/Ir
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Attachment







Condensed Title:

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY AND THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES, FACILITIES AND BUILDING CONSTRUCTION DIVISION, FOR THE RENOVATIONS AND RESTORATION OF THE COLONY THEATRE IN AN AMOUNT NOT-TO-EXCEED \$396,762; AND APPROPRIATING \$1,386,203 FROM CITY CENTER RDA FUNDS FOR THIS CHANGE ORDER AND OTHER ITEMS.

ssue

Should the City approve Request for Change Order No. 3 presented by DMS for additional costs at the Colony Theater renovation?

Item Summary/Recommendation:

The Colony Theater Renovation project began as a \$1.5 million concept project in early 1999. A series of cultural facilities grants were pieced together during the balance of that year and in October 1999, the City executed a Professional Services Agreement with the State of Florida Department of Management Services ("DMS") to provide design, pre-construction, and construction management at risk services. Through its Agreement, which calls for DMS to hire both the Architect and the Construction Manager/Contractor, DMS provides a practically full service operation and many of the normal duties of the City are fully delegated by agreement to DMS as the City's Agent. McCartney, as contractor for DMS, submitted a GMP for construction in the amount of \$5,568,002 in February 2003. In May 2003, DMS provided Request for Change Order No. 3 to the City in the amount of \$557,769. The staff did not believe that the information provided was sufficient to properly demonstrate that the City is contractually responsible for these charges and declined to recommend this Request for Change Order to the RDA Board. DMS subsequently submitted a revised request to staff in February 2004 in the amount of \$789,019. This amount has been recommended to the City by DMS for approval. The Request for Change Order contains a number of requests for additional costs, for replacement of contingency, for additional General Conditions, additional Overhead and Profit, additional Management Fees, additional Owner requested items as well as unforeseen conditions. The amount recommended by the staff for RCO No. 3 is \$396,762. There are additional items not related to the Request for Change Order that should also be funded at this time. These are \$301,335 for AIPP and CIP fees; \$500,000 to replace the State grant; and \$188,106 for contingency and Owner requested FF&E items. The total staff recommended appropriation with all items is \$1,386,203.

Advisory Board Recommendation:	
N/A	
Financial Information:	-

Source of	Ame	unt is Account	Approved
Funds:		RDA City Center	
	2		
Finance Dept.	Total	·	

City Clerk's Office Legislative Tracking:

JECh

Sign-Offs:

Department Director Assistant (ity Manager City Manager)

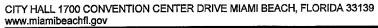
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AGENDA ITEM <u>3A</u>

DATE 3-17-04







REDEVELOPMENT AGENCY MEMORANDUM

To:

Chairman David Dermer and

Members of Miami Beach Redevelopment Agency

Date: March 17, 2004

From:

Jorge M. Gonzalez

Executive Director

Subject:

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY AND THE STATE OF FLORIDA DEPARTMENT OF **MANAGEMENT** SERVICES. **FACILITIES** AND BUILDING CONSTRUCTION DIVISION, **FOR** THE RENOVATIONS **AND** RESTORATION OF THE COLONY THEATRE IN AN AMOUNT NOT-TO-EXCEED \$396,762: AND APPROPRIATING \$1,386,203 FROM CITY CENTER RDA FUNDS FOR THIS CHANGE ORDER AND ALSO TO REPLACE \$500,000 OF GRANT FUNDING THAT THE CITY APPLIED FOR FROM THE STATE OF FLORIDA'S CULTURAL FACILITIES PROGRAM, BUT WAS NOT GRANTED DUE TO A LACK OF FUNDING BY THE STATE; PROVIDING FOR PREVIOUSLY DUE ART IN PUBLIC PLACES ALLOCATION FOR THE NEW PORTION OF THE BUILDING IN THE AMOUNT OF \$66,849; AND PROVIDING FOR CIP FEES IN THE AMOUNT OF \$234,486; AND PROVIDING FOR ALLOCATION FOR OWNER REQUESTED ITEMS AND A NEW CONTINGENCY IN THE AMOUNT OF \$188,106.

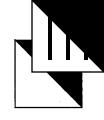
ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

The Colony Theater Renovation project began as a \$1.5 million concept project in early 1999. A series of cultural facilities grants were pieced together during the balance of that year and in October 1999, the City executed a Professional Services Agreement with the State of Florida Department of Management Services ("DMS") to provide design, preconstruction, and construction management at risk services. A detailed history of the project was previously provided to you as a Status Report in September 2003 and appears as Attachment 1 to this memorandum.

Through its Agreement, DMS provides a practically full service operation and many of the normal duties of the City are fully delegated by agreement to DMS as the City's Agent. The Agreement calls for DMS to hire both the Architect and the Construction Manager/Contractor through its own competitive process and the respective agreements with each party are executed and administered by DMS. The City's obligations under its



COLONY THEATER Commission Memorandum March 17, 2004 Page 2 of 8

Agreement with DMS are primarily to provide funding and to pay timely upon DMS' approval of proper payment applications.

The DMS agreement calls for a number of deliverables during the design and preconstruction stages. The deliverables are consistent with a standard construction manager at risk process where a general contractor is brought into the design process at an early stage to work with the Architect of Record in both developing the design documents and in pricing the project. In this project, the Architect of Record hired by DMS is R.J. Heisenbottle Architects ("RJHA") and the Construction Manager/Contractor is McCartney Construction Company ("McCartney"). The total fee paid by the City to the DMS/RJHA/McCartney team for pre-construction services is \$313,872, which included the design fee for RJHA, the constructability review by McCartney, and the management fee by DMS.

The final deliverable of the pre-construction process is, by Agreement, a Guaranteed Maximum Price ("GMP"). The DMS Contract with McCartney defines Guaranteed Maximum Price in Article 7.1 as follows:

"When the Design Development Documents are sufficiently complete to establish the scope of work for the project or any portion thereof, as generally defined by a design document listing to be provided by the Architect-Engineer and the Construction Manager upon execution of this Agreement, which is to be used only as a guide in developing the specifications and plan data necessary to establish a Guaranteed Maximum Price, or at such time thereafter designated by the Owner, the Construction Manager will establish and submit in writing to the Owner for his approval a Guaranteed Maximum Price, guaranteeing the maximum price to the Owner, for the construction cost of the project or designated part thereof. Such Guaranteed Maximum Price will be subject to modification for changes in the project as provided in Article 10. However, the actual price paid for the work by the Owner shall be the actual cost of all work subcontracts, supply contract, direct labor costs, direct supervision costs, and direct job costs as defined under Article 9, plus the Construction Manager's fees or the GMP, whichever is less when the work is complete (emphasis added)."

A gross price for the City's Budgeting purposes was provided by the project team in July 2002 of \$6,365,000 which served as the basis for the final appropriation by the City. This amount was inclusive of DMS, RJHA, and McCartney's fees, including project contingency. In this project, a formal GMP that is essentially in line with this final budget amount was executed by DMS on behalf of the City in February 2003. It should be noted that contrary to the language above, City staff was not permitted to review the GMP prior to DMS' acceptance and execution of the GMP, despite several requests to do so. The City finally received a copy of the executed GMP in April 2003. McCartney's GMP for construction is \$5,568,002.



COLONY THEATER Commission Memorandum March 17, 2004 Page 3 of 8

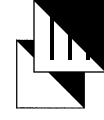


For reasons of apparent expediency (according to DMS correspondence to the City), DMS authorized construction activities to commence in November 2002, prior to the execution of the GMP document and over the objections of City staff. City staff objections stemmed primarily from the fact that the Construction Documents for the project had not yet been permitted by the Building Department, project specifications were not complete, and a draft GMP had not been provided for the City to consider. Soon after the project began, McCartney experienced several difficulties with getting its temporary shoring for the structure permitted by the Building Department and a Stop Work order was issued on the project. Other issues arose, including a need for pilings, structural repairs, asbestos abatement, and plumbing and electrical issues that, according to the project team, were not addressed within the GMP. However, the Stop Work order, and the issues that caused it, resulted in a 10 week delay to the project.

Soon after this occurrence, McCartney submitted to DMS a request to be compensated for this 10-week delay as well as for all of the items noted above from the Project Contingency in an amount of \$78,596 plus an additional 10 weeks of time, which was approved by DMS. Shortly thereafter, DMS further authorized additional charges against the Project Contingency for remobilization, additional plumbing work, actual costs that exceeded the projected budget amounts, and some City requested items. The total Project Contingency of \$127,046 was fully expended as authorized by DMS by June 2003. In fairness to the project team, the original contingency was extremely low to address unforeseen conditions and Owner requested changes, although many of the items mentioned above do not fall under these categories.

It should be noted that the City is not a signatory on any of these actions and was not recognized as an active participant in this process. This was done despite the fact that Article 7.4 of the Agreement states, in part, "The Construction Manager will be required to furnish documentation evidencing the expenditures charged to this contingency prior to the release of funds by the Owner." In these contract sets, "Owner" is explicitly defined as "The City of Miami Beach."

In May 2003, DMS provided Request for Change Order (RCO) No. 3 to the City in the amount of \$557,769. According to the documents that were provided as back-up to this request, this amount was requested to replace the depleted contingency, to increase compensation to McCartney for alleged unforeseen conditions, to pay for City requested items, and to address overruns in budgeted allowance categories that were set aside because construction commenced prior to completion of design and specifications. The staff did not believe that the information provided was sufficient to properly demonstrate that the City is contractually responsible for these charges and declined to recommend this Request for Change Order to the RDA Board at that time. Since May 2003, the Construction Manager and A/E have continued to add items to this RCO and the current request to the Commission/RDA Board is \$789,019. This amount has been recommended to the City by DMS for approval.



COLONY THEATER Commission Memorandum March 17, 2004 Page 4 of 8

Of this final RCO amount, \$127,301 is requested to address the initial delay issues noted above and to address alleged additional costs to the project that have been incurred and approved by DMS since May 2003. The items in this latter category were funded by DMS from the Contingency Allowance in the original GMP, in the amount of \$127,046, which they slightly exceeded. The funding of these items were addressed by DMS through Authorizations, which are similar to Change Orders but are used, under the Agreement, to re-allocate funding within the overall GMP amount from other contract items.

A summary of the Authorizations is as follows (See Attachment 2) and will be further described and detailed below:

Authorization No. 1 in the amount of \$78,596
Authorization No. 2 in the amount of \$23,320
Authorization No. 3 in the amount of \$25,385
Authorization No. 4 in the amount of \$122,400 (Re-allocation of Seating Allowance)

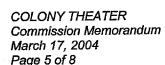
Authorization No. 5 in the amount of \$118,357 Authorization No. 6 in the amount of \$133,091

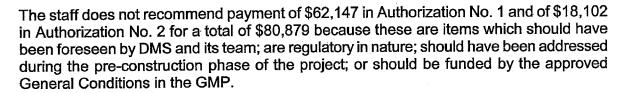
Authorizations Nos. 1, 2 and 3 were authorized by DMS, without proper Owner participation. In Authorization No. 4, DMS reallocated the Allowance set aside in the GMP for Seating in the auditorium in order to cover the shortfalls in the Contingency due to the above described previous authorizations.

It should be noted that the use of Authorizations is limited by Contract to move money between line items in the GMP as needed. Authorizations cannot be used to reduce or increase the scope of the project. In practice, the intent is to use Authorizations to remove funds from line items where the actual costs were lower than budgeted to other line items where actual costs are higher than budgeted. It is City staff's opinion that the Authorizations were utilized improperly in this instance.

Approximately \$37,822 of the requests in Authorizations Nos. 1, 2 and 3 is for items that are prospective. These items were captured in the original GMP as Allowances due to the fact that the project was not fully designed with specifications when the GMP was executed. As the design and specifications are progressing, these Allowance line items are insufficient to pay for the actual costs of the design and specifications that the A/E is providing to the Construction Manager to price. The present tense is being used here to denote the fact that portions of the building have yet to be designed and/or specifications developed.

Additionally, approximately \$43,474 of the request in authorizations 1, 2 and 3 is due to true unforeseen conditions that were encountered during the course of construction. These include asbestos abatement, and modifications to the electrical and plumbing systems to fit the proposed design to the actual conditions. In addition, there is \$3,218 for an Owner change for an audio console for operational reasons. The total is composed of \$16,089 in Authorization No. 1; \$5,218 in Authorization No. 2; and \$25,385 in Authorization No. 3. The staff recommends payment of these amounts.





The re-allocations of the Seating Allowance in Authorization No. 4 is also not recommended for approval by the staff since it was done without prior consultation with the City and would leave unfunded a fundamental portion of the theater, the seating.

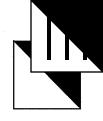
DMS has also submitted Authorizations No. 5, in the amount of \$118,357, and No. 6, in the amount of \$133,091, which potentially further increase the cost of the project. Authorization Nos. 5 and 6 once again were issued by DMS without the proper participation and against the recommendation of the Owner. At this time the City had already informed DMS that their cost proposals and requests for additional funds were not properly substantiated and that no further approval would be given by the Owner until all items were clearly presented and contractually justified by DMS in accordance with the Agreement.

These Authorizations also include several items which exceed allowances established in the GMP which are being exceeded as designs and specifications are completed. Some of the items, in the amount of \$76,261, in Authorization No.5 and \$6,200 in Authorization No.6 for a total of \$82,461 are for unforeseen conditions in the project and recommended by the staff for payment. \$7,000 in Authorization No. 5 is for Owner requested items and is also recommended by the staff for approval.

Items in the amount of \$43,939, in Authorization No. 6 are for improperly executed changes by DMS which the City may have to fund because they were not included in the GMP, but have either been already installed or because they are needed for the proper operation of the building. These changes are recommended by the staff for payment as required for the project's operations.

Items in the amount of \$35,096, in Authorization No.5 and in the amount of \$63,618 in Authorization No. 6, for a total of \$98,714 are not recommended by the staff. These items once again deal with conditions which should have been foreseen; regulatory issues; allowances exceeded by recent designs not completed prior to GMP; time delays not approved by the City; additional sales taxes for items not approved; and for items which should have been funded by the approved General Conditions in the GMP.

DMS chose to ignore the City's comments and recommendations and continued to issue authorizations which were not properly funded and which continued to make use of GMP allowances for other required work that would then become unfunded. The allowance for the seating previously mentioned is a case in point. DMS has now partially eliminated another allowance, in the amount of \$241,678, for stage rigging in order to cover further shortfalls in the contingency which have not been substantiated or justified. DMS intends to restore this portion of the allowance if Request for Change Order No. 3 is approved.



COLONY THEATER Commission Memorandum March 17, 2004 Page 6 of 8

Based on staff's request, this RCO No. 3 amount has been divided by DMS into four separate categories. Some of the total amount is intended to fund the Authorizations previously approved by DMS which were partly funded by available allowances and which were not properly justified and not approved with the participation of the Owner:

Owner Requested Changes	\$202,252
Regulatory Changes	\$111,593
Unforeseen Conditions	\$352,465
Scope Changes	<u>\$122,709</u>
Total	\$789,019

Change Order No. 3 consists of a request to restore the funds used from the allowances for the previous Authorizations (discussed in detail above), in the amount of \$251,703. In addition, it includes further requests for additional costs, in the amount of \$537,316, for replacement of a contingency, for additional General Conditions, Overhead and Profit, Management Fees, and some Owner requested items as well as some unforeseen conditions.

Of the requested amount, the staff recommends that \$56,867 in Change Order No. 3 be approved for items which the Owner requested or which were for legitimate unforeseen conditions. The staff also recommends that \$62,155 be approved for items which may have been improperly approved by DMS which were not included in the GMP, but are either necessary or already under construction. These amounts, coupled with the \$180,092 previously recommended from Authorizations 1 through 6, add up to \$299,114 and are the maximum that the staff is willing to recommend for additional construction costs on this project.

The staff also recommends that \$13,106 for prospective changes requested by the theater operators and \$150,000 for an additional contingency be appropriated for the project but that they be managed by staff and not be made part of the increase to the GMP in Request for Change Order No. 3. All other costs included in RCO No. 3 are considered by the staff to be the responsibility of the DMS project team, including the replacement of the allowances used as additional contingency. Therefore, the staff does not recommend funding those costs.

These additional costs in RCO No. 3 are not recommended for varied reasons. These include known regulatory issues; items which should have been foreseen during the preconstruction services phase; and items which should be the responsibility of the contractor as part of their means and methods. In addition, there are costs related to the RCO that must be adjusted to the approved amounts but are currently included by DMS as if the complete Change Order were approved by the City for funding. Of these items staff recommends that additional General Conditions, Overhead and Profit, Bonds and Insurance be funded based only on the amount recommended for approval which is \$299,114 as stated above.

In addition, the DMS Agreement calls for its fee to be increased by 2.5% with every addition in funding to the project. This would increase the amount requested in Change

COLONY THEATER Commission Memorandum March 17, 2004 Page 7 of 8



Order No. 3 by \$19,725 if the full request were approved. Based on the amount recommended by the staff, the increase to DMS' fee is \$7,478.

DMS has also presented separately, a request for additional services to RJHA in the amount of \$56,463.98. This request covers three categories; additional Threshold Inspections and Field Observations; additional design for unforeseen conditions; and additional design for Owner requested items which are required for the proper operation of the building. The staff does not recommend additional services for the Threshold and Field Observation costs because the allowances have been exceeded due to the inability of the team to obtain proper permits and the delays caused by the Stop Work order and other structural issues that should have been foreseen and covered under the preconstruction services phase of the project. The staff also does not recommend the additional services for the design of rigging and a catwalk since these are essential items in a theater and should also have been covered in the pre-construction services. Therefore the staff only recommends approval of additional services, in the amount of \$10,170. This amount is acceptable for the design of Owner requested items and for true unforeseen conditions.

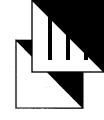
Separate from the recommended additional services request for RJHA, staff recommends that \$25,000 be appropriated for a third party Threshold Inspector to be contracted by staff independently of the current project team. Staff is concerned that the present arrangement where the structural Engineer of Record and the Threshold Inspector are the same entity and may represent a conflict of interest.

The City had previously been awarded a 2003 Cultural Facilities Grant in the amount of \$500,000 that was approved by the Commission/RDA Board as funding for this project. However, due to funding challenges last fiscal year with the State budget, this funding from the State was eliminated and will need to be replaced in order to meet present contractual obligations to DMS, RJHA, and McCartney.

Originally, this project was managed by RDA staff and the project was transferred to the CIP Office in October 2002. Funding was not allocated within the original appropriations for either the CIP Office fee or the Art in Public Places contribution on the new construction portion of the building. The AIPP allocation is determined to be, in accordance with the City Ordinance, \$66,849. The CIP management fee allocation is \$234,486 based on the percentages established for budgetary purposes. The staff also recommends that an additional contingency be provided in the project to replace the original contingency already exhausted. The staff also requests that \$13,106 for Owner identified items be funded in this appropriation.

If these fees and other allocations are added, and the total DMS Request for Change Order No. 3, in the amount of \$789,019, is granted, and the grant amount of \$500,000 is replaced, then the request for additional funding at this time would be \$1,753,460.

However, as noted above, staff does not believe that the Request for Change Order No. 3, as presented by DMS/RJHA/McCartney, is fully warranted. After exhaustive review, staff believes that \$316,762 which includes the cost of additional construction, the additional



COLONY THEATER Commission Memorandum March 17, 2004 Page 8 of 8

fees for DMS and the additional services for RJHA is the appropriate amount for which the City should be responsible. There is an additional amount, estimated at \$80,000 by the staff, which cannot be clearly established until the final amount of RCO No. 3 is approved. These costs are for General Requirements, Overhead and profit, Bond and Insurance which are contractually based on percentages of construction costs and for approved time extensions. Since these are not yet clearly established, the staff is only recommending an estimated amount at this time. By comparison, the amount for the General Requirements requested by DMS but not recommended by the staff is \$147,556. This exact amount can be established after approval of Change Order No. 3 and if it exceeds the amount estimated by the staff, the difference would be paid from the additional contingency requested today.

Based on the RCO amount No. 3 recommended by the staff of \$316,762; the amount of \$80,000 for General Requirements, etc. described above; the amount of \$301,335 for AIPP and CIP fees; the amount of \$500,000 to replace the grant; and the amount of \$188,106 for contingency and Owner requests, the total additional funds for the project recommended by the staff is \$1,386,203.

It should be noted that this represents a disagreement between City staff and the DMS project team. The Request for Change Order No. 3 and associated narrative back-up for the RCO is attached as Attachment 2 and has been summarized above. A Summary Chart of the staff recommendation appears in Attachment 3.

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CITY OF MIAMI BEACH

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COMMISSION MEMORANDUM

To:

Mayor Dermer and Members of

the Miami Beach Redevelopment Agency

Date: September 10, 2003

From:

Jorge M. Gonzalez

City Manager

Subject:

STATUS REPORT ON THE COLONY THEATER RENOVATION PROJECT

BACKGROUND

The Greater Miami Concert Association, on behalf of the City of Miami Beach, initiated a process to procure grant funding for the renovation and repair of the Colony Theater. With the efforts of the Concert Association, in early 1999, Miami-Dade County Cultural Affairs Department engaged. on a pro-bono basis, the Zeidler Roberts Partnership, Inc., to develop conceptual plans and cost estimates for the expansion and renovation of the Colony Theater. In September 1999, the City was awarded a \$775,000 Miami-Dade County Cultural Affairs Grant; but the Plan failed to address many important elements and contained a preliminary cost estimate of \$1.5 Million to undertake the Project.

On July 21, 1999, the City Commission authorized the City Administration to apply to the State of Florida, Division Of Cultural Affairs (SOF), for a \$500,000 Cultural Facilities Grant. The City pledged \$1,000,000 in (2-for-1) matching funds, from the following sources:

Miami-Dade County Cultural Affairs Grant	\$775,000
ADA Improvements (Bond Fund 351)	\$ 60,000
Cultural Arts Council Loan	\$165,000
Total Funding Available:	\$1,000,000

On October 6, 1999, the Mayor and City Commission adopted Resolution No. 99-23348, authorizing the City to execute a Professional Services Agreement with the State of Florida, Department of Management Services (DMS) for construction management of the Colony Theater. The DMS Program provides construction-management-at-risk and provides municipalities with project management services from the onset of a project, throughout the design phase, bidding process (resulting on a guaranteed maximum price), and culminating with construction oversight and coordination.

On March 6, 2000, DMS authorized R.J. Heisenbottle Architects (RJHA) - the Architect-of-Records, selected through an RFQ process administered by DMS - to proceed with programming and conceptual/advanced schematic design phases for the expansion and renovation of the Colony Theater. The design had to address programmatic requirements, historic preservation scope, ADA and other code-related deficiencies. It should be noted that the design development phase was subject to extensive programming with input received from the operator and users of the Colony Theater, the City's Historic Preservation Office, Property Management and the

> Agenda Item RDA - 3A Date 9-10-03

886



September 10, 2003 Commission Memorandum Colony Theater Status Report-Page 2 of 7

Planning and Zoning Department.

In September 2000, RJHA presented three alternative design concepts to address expansion of backstage areas, ADA requirements and other identified improvements. The alternatives involved:

- 1. expanding the Colony into and over the alley on the south side of the building.
- 2. expanding below grade (basement), or
- 3. expanding to the east by incorporating a portion of the adjacent privately owned property.

Given the extent of the improvements/enhancements identified during this process, RJHA exhausted attempts to design the Colony Theater's renovation within the parameters of the existing footprint of the building. Because the Colony Theater has never been substantially altered from its initial use as a cinema, the addition of a fly-space was considered a vital element to become a true performance theater. The only way to accomplish this was to provide an "addition" to the structure. At the very least, plans called for demolition of the back of the house, which was found to have asbestos and other code and fire violations, and to build a vertical addition, accommodating a fly-space, technical storage and dressing rooms.

On December 15, 2000, RJHA - represented by Richard Heisenbottle, Terry Siegel and Gregory Saldano - presented to a committee comprised by Jorge Gomez, William Cary, and Tom Mooney from the City's Planning Department, Brad Judd from Property Management, Kent Bonde from the Redevelopment Agency, and Eric Fliss from the Colony's Operations Department, a new scheme. calling for the removal of the rear 45 feet of existing building, construction of a new stage house. small second and third floor service areas behind the stage, a fourth floor "Backstage" area, elevator, stairs, and the addition of a new vestibule and exterior access ramp to provide ADA access to the stage. The historic preservation scope involves removing the existing marquee and storefront on Lincoln Road and returning this fascia to its original historic appearance and modifying the interior lobby, office and concession area to be more consistent with the building's original design. RJHA presented Options "A" and "B" for this scheme, involving different size additions to the facility. Option "A" involved the addition of 7,950 square feet at a hard construction cost estimate of approximately \$3.6 Million. Option "B" comprised a 9,520 square foot addition, for a total construction/hard cost of \$4.5 Million. According to RJHA, the design could not undergo further value engineering without adversely impacting the scope and purpose of the project. The Administration concurred with this assessment and recommended proceeding with Option "B". According to DMS, the total estimated cost of the project, inclusive of soft costs, would be approximately \$4,615,000, significantly exceeding the available budget.

On March 16, 2001, the City was awarded a National Park Service-Save America's Treasures Grant, in the amount of \$835,000, of which \$700,000 was appropriated for the Colony Theater project.

Total available funding sources at the time comprised the following:



September 10, 2003 Commission Memorandum Colony Theater Status Report Page 3 of 7

County Cultural Arts Grant/PACT:	- \$	775,000
ADA Improvements (Bond Fund 351)	\$	60,000 - City Match
Florida Dept of State Cultural Facilities Grant -		
Phase I:	\$	500,000 – 2 for 1 City Match Required
Cultural Arts Council Loan	\$	165,000 - City Match Revised Amount
National Park Service - Save America's		
Treasures Grant:	<u>\$</u>	700,000
Total Available Funding:	\$2	2,200,000
Estimated Budget:	\$4	<u>4,615,000</u>
Estimated Shortfall:	(\$2	,415,000)
		•

On May 14, 2001, the Administration presented to the City's Finance and Citywide Project Committee a request for additional funding for the Project, in the amount \$1,415,000 from the Miami Beach Redevelopment Agency (RDA). The Committee voted in favor of recommending the appropriation. Based on the Committee's recommendation, the RDA appropriated the funds on June 27, 2001. The remaining \$1,000,000 shortfall was expected to be funded from future applications to the SOF- Cultural Facilities Grant Program (Phases II and III).

On July 10, 2001, Design Development Plans received formal approval by the Design Review and Historic Preservation Boards. Design and Construction Documents proceeded with anticipated completion by March, 2002.

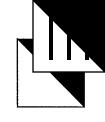
In August, 2001, the City applied for a second Cultural Facilities Grant in the amount of \$500,000 from the SOF - Division Of Cultural Affairs. The City identified the additional appropriation from the RDA and the National Parks Service Grant, as fulfilling the matching funds requirements. SOF Funds from the second application were appropriated by the State in May, 2002.

The revised funding status at the time comprised the following:

Total Available Funding:	\$2,200,000
Estimated Budget:	<u>\$4,615,000</u>
Estimated Shortfall:	(\$2,415,000)
RDA Appropriation on June 27, 2001	\$1,415,000 - City Match to the SOF Grant
Florida Dept of State Cultural Facilities	
Grant – Phase II:	\$ 500,000 - 2 for 1 City Match Required
Revised Estimated Shortfall (at the time):	

A third application in the amount of \$500,000 was submitted in August, 2002, which was intended to bridge the projected shortfall. Due to the recent budgetary issues at the State of Florida, the funding process has been delayed. The Project has been ranked favorably and is included in a priority list for the FY2004 application period.

Using RJHA preliminary Design Documents and cost estimates, in October, 2001, following a bidding and selection process administered by DMS, a Contract was awarded to McCartney Construction, for the Construction phase of the Project. At the time, the Contractor reviewed the existing Construction Documentation and submitted a total Construction Budget Amount of \$3,100,000.



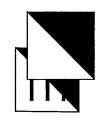
September 10, 2003 Commission Memorandum Colony Theater Status Report Page 4 of 7

In January 2002, Florida Power and Light mandated the placement of an 18 sq.ft. transformer vault within the confines of the Colony Theater property, to handle the facility's anticipated electrical load. Since there was virtually no room inside the Colony to place the vault, RJHA presented a proposal to pad mount the vault in the public-right-of way, just north of the 9 ft easement area, on the west side of the Colony. The proposal required the approval of the City's Historic Preservation and Design Review staff as well as a right-of-way easement from the City in order to proceed. The easement was contingent upon certain plans and specifications to be provided by FP&L.

On February 8, 2002, Design and Construction Documents underwent preliminary review by building trade, accessibility/ADA and fire inspectors, which triggered the need to apply for certain regulatory waivers due to hardships encountered in dealing with certain code-related issues, including, but not limited to:

- Flood plain elevation in order to preserve the historically significant interior portions of the building (terrazzo flooring, walls, etc.), a variance application to the City's Flood Variance Board was submitted and approved on April 5, 2002.
- Wind-load criteria the existing elements of the building that do not comply with the technical requirements of the Code required an application for a waiver. The Project was set to go before the Board of Rules and Appeals (BORA) for a waiver on April 25, 2002, however due to changes to the Building Code, jurisdiction over waiving certain technical codes for historic buildings, including but not limited to, the alteration, repair and restoration thereof, was shifted from BORA to the local Building Official. As such, the Colony Theater became the first waiver application to be reviewed by the City's Building Official and Structural Plans Examiner. The wind load requirements in the historic portion of the building, required extensive coordination with the City's Historic Preservation Office to determine the impacts to the project. A mutually acceptable solution was reached in September, 2002.
- Accessibility Waivers were sought from the State of Florida's Historic Preservation Office to avoid a required enlargement of the lobby area to meet accessibility requirements. If implemented, the enlargement would have adversely impacted its historic characteristics and reduce adjacent circulation space needed to comply with NFPA egress requirements. A waiver was also sought from the Florida Building Commission because vertical accessibility is not possible to all levels of the facility. The waivers have been granted, subject to certain conditions involving the provision of handicapped accessible seating with specific sight-line requirements, which have since been addressed in the final Documents.

On March 26, 2002, McCartney Construction presented the design development cost estimates, which exceeded the available construction budget of \$3.1 million by \$577,140. The most significant line item differences from the budget approved in March 2001 were concrete work, life-safety/fire sprinkler systems, HVAC, Equipment and Finishes. Additional cost overruns not contemplated in the estimate, included certain interior finishes, required for Historic Preservation, including but not limited to, the creation of a free-standing ticket booth in the entrance lobby.



September 10, 2003 Commission Memorandum Colony Theater Status Report Page 5 of 7

On May 31, 2002, Staff met with the Design Team, McCartney Construction (Contractor) and the State of Florida's Department of Management Services (DMS), to review the 100% construction document cost estimates. The total projected cost of the Project stood at \$6,335,000 or \$1,720,000 over the Project Budget of \$4,615,000. The increase in cost included, but was not limited to, an estimated \$405,000 in requested enhancements that were necessary to make the Project operational, including rigging, lighting, new seating, acoustical fabric panels and railings in the auditorium.

On June 2, 2002, the Administration again went before the City's Finance and Citywide Project Committee (Committee) to request the additional funding to bridge the shortfall. The Committee voted in favor of appropriating \$1,750,000 towards the Project. The RDA subsequently appropriated the funding at its meeting on July 10, 2002.

At that time, the total funding dedicated towards the Project was as follows:

Source	Funding	% of Total
City Center RDA TIF funds	\$ 3,165,000	50%
ADA Improvements (Bond Fund 351)	60,000	1%
Cultural Arts Council Loan	165,000	3%
Miami-Dade County Cultural Affairs	775,000	12%
National Park Service	700,000	10%
State of Florida – Cultural Facilities Ph I	500,000	08%
State of Florida – Cultural Facilities Ph II	500,000	08%
State of Florida - Cultural Facilities Ph III	500,000	08% (Pending)
Total:	\$6,365,000	100%

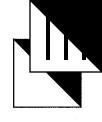
On September 18, 2002, the 100% Construction Drawings were re-submitted to the City for final review and approval for permitting. The plans reflected changes and comments requested by the various building trade Plan Reviewers, the Fire Department, Miami-Dade County, and all other applicable local and state regulatory entities.

On November 5, 2002, the Documents received final approval, allowing the Permit to be issued for the Project. Contract administration of the DMS Construction Administration Agreement Project was officially handed over to the Capital Improvements Projects Office.

On February 25, 2003, the Construction Manager contract was amended to reflect a Guaranteed Maximum Price (GMP) of \$5,568,002 for construction. The Total Project Cost, including RJHA's and DMS' professional fees, is \$6,314,610. The balance of the funding in the amount of \$50,390 remains unallocated.

CURRENT PROJECT STATUS

Despite objections from the CIP Office to DMS to release the Project without a completed GMP amount, ground breaking occurred during the first week of December, 2002, with extensive asbestos abatement throughout the structure. DMS communicated to the City its authority to start the construction process, pursuant to the conditions of its Contract with the City. In mid-December demolition of the main stage house and the non-historic elements of the lobby began.





September 10, 2003 Commission Memorandum Colony Theater Status Report Page 6 of 7

During this process, certain alleged unforeseen conditions have come to light, which in turn have contributed to delays and additional cost requests from the Contractor. Contractor identified conditions include, but are not limited to, weakened/corroded concrete ceiling support beams over the lobby area, additional asbestos material uncovered in the marquis, a determination by the structural engineer that specifications for the structural bracing required extensive modification in order to adequately shore the remaining structure, unanticipated dewatering, and a complete replacement of a corroded plumbing system beneath the building.

Additionally, it should be noted that at the time of the last appropriation (July 10, 2002), many of the line items, particularly for interior furnishings, fixtures and equipment, including certain mechanical and HVAC components, were identified as allowances in the GMP, based on current unit pricing. Since then, as RJHA has developed specifications and drafted details and final designs, many of these items have been priced higher than originally estimated. The CIP office is in the process of performing a cursory review of the Construction Documents to evaluate the extent of the issues affecting the Project Cost.

Collectively, these issues, if not contested by the City, will deplete the Project's Contingency, which represents less than 2.3% of the Project's Budget.

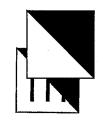
At the request of the CIP Office, DMS and McCartney Construction have been asked to provide a breakdown of McCartney's additional costs for which they have requested additional funds. The estimate, in the amount of \$557,769, was submitted on August 12, 2003 and is being evaluated by the CIP Office. This amount also includes RJHA additional services in the amount of \$40,000 and an adjustment to DMS' Construction Administration fee of \$13,605.

Additionally, in order to operate the theater, phone lines and a genie lift need to be installed. This cost is estimated at \$10,000 and is not currently included in the GMP amount.

It should also be noted that certain additional administrative costs associated with this Project have not been included in the original Budget, but need to be factored in now. These include the CIP Project Management fee of 4.8% of the total Project's cost and the Art In Public Places (AIPP) allocation of 1.5% of the new construction cost (AIPP applies only to 40% of the Construction Budget).

Based upon the current information available, the CIP office is not in agreement with DMS that the full amount of additional funds are warranted. CIP is requesting additional information to support DMS' findings before any further action is taken, or an increase to the Project is recommended for Commission/Board consideration. It is still premature to determine what the final recommendation of staff will be. We will provide regular updates as the Project progresses.

As noted above, this Project is officially and legally managed by the Florida Department of Management Services (DMS). Within this structure, both the Project Architect (RJHA) and the Contractor (McCartney) have agreements with DMS and not with the City. However, through DMS' Contract, the City is required to pay each entity upon approval by DMS.



September 10, 2003 Commission Memorandum Colony Theater Status Report Page 7 of 7

CURRENT COST STATUS

Project Costs to Date as of August 6, 2003	Budget:	Payments To Date:	Cost To Complete:
Construction (Hard) Costs:	\$5,568,002	\$1,121,995	\$4,446,007
Architectural & Engineering (Soft) Costs:	\$ 585,272	\$ 508,184	\$ 77,088
DMS Management:	\$ 161,336	\$ 101,095	\$ 60,241
Total Project Cost:	\$6,314,610	\$1,731,274	\$4,583,336

It should also be noted that even though the Project has been ranked favorably by the Cultural Facilities Committee, the City's Phase III Cultural Facilities funding application to the State of Florida, in the amount of \$500,000, was not funded this year due to funding shortfalls at the State level. As such, the City or RDA may have to front these funds until funding is approved, if ever.

PROJECT SCHEDULE

Even though the Project has experienced certain delays due primarily to conditions not uncharacteristic of many historic structures in the City, work has been proceeding at a steady pace. All grade beams and the concession and stage slabs have been poured, electrical under grounding has been completed up to the south west corner of the building, the fire alarm rough-in conduits at the front lobby and under seating areas are underway, clipping and strapping of the Auditorium framing (wind-load related code requirements) is almost complete, and HVAC air return duct fabrication is underway. The current critical path schedule reflects substantial completion of the Project by mid-May, 2004, approximately 6 months behind the original schedule.

JMG/R/CM: TH: JEC: AR
T: AGENDA 2003 sep 1003 regular colony status report coc

ATTACHMENT 2



This is a request for additional funding for Colony Theatre. We are requesting an approximate 14% increase to the cost of the contract. Historically, restoration projects of this scope tend to cost 20-25% above the amount originally figured. This 14% increase is considered below average for this type of project.

Increase in funding is necessary for owner requested changes, building department and governmental changes, unforseen field conditions, and scope changes. Also included in this change order is \$150,000.00 set aside for contingency for future items that may be affected by the above four categories. Please note that this contract is being performed under a CM at risk agreement. The owner only pays for the actual labor, material and subcontractor costs that are incorporated into the project. Unspent funds in this category are returned to the owner at the end of the project. Due to the nature of this project, some of the line items are estimates of future costs. The actual costs may be more or less than projected. Again, the owner only pays for the actual cost of work-for these line items.

The following pages show a complete breakdown of the requested funding. In order to fund ongoing construction operations, budgeted items such as seating and rigging have been eliminated and the funds transferred to categories that needed additional funding. After this request is approved, we will replace the funds in those line items.

When the guaranteed maximum price was established, the interior design of the lobby and auditorium was not complete. Amounts were budgeted at the time for these areas, but an accurate figure could not be provided until the actual plans and specifications were completed. This contributed to the amount of additional funds needed. Unforseen conditions such as asbestos and code violations were found after selective demolition was performed. Because of the asbestos removal, new finishes are required in the existing bathrooms which were not to be touched as part of the contract. In certain areas, the existing roof was not tied down to the building. New tie beams had to be poured and structural members anchored to the new beams.

Since plans of the building did not exist, the structural engineer did not know the exact location of existing pilings and grade beams. Structural adjustments had to be made as construction progressed. The existing ceiling conditions dictated changes to structural members and HVAC.

After removal of the lobby floor, it was discovered that the existing plumbing lines to the existing restaurant and bathrooms were deteriorated and had to be replaced. The ceiling in the lobby was structurally unsound and had to be reinforced. The project was also impacted by preparation for the FTAA Conference. All work pertaining to this change order is itemized in the following pages.

The funding request is for:

- 1. CO #3 for construction costs including contingency for future changes \$789,019.00
- 2. A/E additional services

\$ 52,316.00

3. DMS Fee

\$ 19,725.00 Total \$861,060.00

Department of Management Services Division of Facilities Management and Building Construction CONSTRUCTION CONTRACT CHANGE ORDER

Change Order Number: 3 State Project Number: COM		200			•	
State Project Name: Renovat			olony Theatre	•		•
Architect/Engineer: RJ Heis				Contractor: McCartne	y Construction Company	·
Address: 340 Minorca Aven				Address: 4800 SW 64t		······································
City: Coral Gables	 			City: Davie		
State/Zip: Florida, 33134				State/Zip: Florida, 33	314	······································
Phone: 305-446-7799		·		Phone: 954-689-7878		
DESCRIPTION OF CHAI	NGE (Att	ach additiona	l pages if requi	red)	Decrease In	Increase In
See attached:						
1. Cost breakdown labeled	3 Revise	ed C			*	
2. Description of items						
3. Revised Change Summa	ry dated	2/10/04				
		d changes		\$202,252.00		
			ental changes	\$111,593.00		
0	een Cond	litions		\$352,465.00		
Scope of	changes			\$122,709.00		
		*		\$789,019.00		
						•
-						,
•						
		•				
				•		
Notice To Proceed Date: 1	1/18/02	Origin	al Contract			·
Sum: \$5,568,002.00				-		
Contract Time:	Days	Date*	Contract Sum	ı: \$5,568,002,00		\$5,568,002.00
Original Contract Time	427	1/13/04	Subtotal			ψ5,500,002.00
Present Contract Time	497	3/28/04	Net Add(Ded	uct)		\$ 789,019.00
This Change			Pres. Contrac			\$5,568,002.00
Add(Deduct)	112					\$3,300,002.00
New Contract Time	609	7/26/04	New Contract	Sum		\$6,357,021.00
		· · · · · · · · · · · · · · · · · · ·	,			1 90,337,021.00

This Change Order is an amendment to the Contract Agreement between Contractor and the Owner, and all contract provisions shall apply unless specifically exempted. The amount and time change designated are the maximum agreed to by both the Owner and the Contractor for this change. In consideration of the foregoing adjustments in contract time and contract sum, the contractor hereby releases Owner from all claims, demands or causes of action arising out of the transactions, events and occurrences giving rise to this Change Order. This written Change Order is the entire agreement between Owner and Contractor with respect to this Change Order. No other agreements or modifications shall apply to this contract amendment unless expressly provided herein. This Change Order represents final agency action pursuant to Section 120.57, Florida Statutes (1978).

RECOMMENDED:	APPROVED:	APPROVED:	APPROVED:
Signature, Architect/Engineer	Signature, Contractor	Signature, Client Representative	Signature, Department of Management Services

DBC 5006 Revised 4/03

CHANGE ORDER

Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

OWNER'S REP.		CHANGE ORDER REQUEST NO. 3 Revised C	3 Revised C	
	Division or building Construction 921 N Davis Street, Jacksonville, FL 32209	DATE:	2/14/04	÷
CONTRACTOR:	McCartney Construction Company 4800 Southwest 64 th Avenue, Suite 109 Davie, FL 33314	STATE PROJECT NO. COMB-99042000	COMB-99042000	· ·
ARCHITECT:	R.J. Heisenbottle Architects, P.A 340 Minorca Avenue, Ste 10 Coral Gables, FL 33134	CONTRACT DATE: 10/22/01	10/22/01	

The Contractor and Owner's Representative hereby agree to the following changes in plans/or specifications and/or other Contract Documents.

Scope

Field

Building

Owner

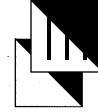
82	6				changes	Dept. Rev	Conditions	Changes	
22	18	L)	Deficit in contingency as of Authorization #6	\$ 129,303.00				•	
	7	œ	Replace seating amount that was moved into contingency	\$ 122,400.00					
			₩.	\$ 251,703.00	24,397	73,185	96,250	57,871	251,703
	က်	Addi	Additional funding needed for:						
		Ċ	Plaster repairs at Lobby ceiling by restrooms - CPR #2 A6.01				6,400		6,400.00
		œi ·	Additional plaster ceiling at Auditorium that was removed for additional work. Texture spray entire ceiling to match. RFI 97, Picture of repairs necessary	ork. Texture			16,144		16,144.00
		ပ	Additional carpentry and form work at 2nd Floor existing areas and Auditorium per engineer. RFI 83, CPR #3 - Detail 7/S5.02	ditorium per			22,340		22,340.00
		Ö	Replace finishes at existing bathrooms after asbestos removal - See pictures	otures			22,000		22,000.00
		ш	Remodel existing Projection Room with new finishes - See pictures, memo 7/17/03	smo 7/17/03	4,941				4,941.00

щ	Waterproof floor and add drain to Mechanical Room MO 3. RFI 25			3,429		0,429.00	
တ	Renovate Mechanical Room MO1 to meet current code. RFI 55		12,052			12,052.00	
Ξ	Structural changes necessary to accommodate air conditioning duct work and equipment. RFI 89, 72, SK-M2.01			9,400		9,400.00	
<u></u> :	Install new roof hatch at Auditorium with access ladder. RFI 42			4,200		4,200.00	
- ;	Stage right catwalk and rigging. RFI 67 (Alternate) Install pin rall only in lieu of catwalk (Deduct approximately \$9,255.00)				14,850	14,850.00	
Ϋ́.	Hardware additions and changes. ASI 3, RFI 50		9,267	8,507	15,470	33,244.00	
نـ	Electrical UPS system for ZZ isle lighting. RFI 76, Submittal 82				5,811	5,811.00	
Σ [']	HVAC changes to Auditorium and Lobby. RFI 72, MO2.01 & MO2.02 revised 12/24/03			18,100		18,100.00	
ż	Drapery pocket additional steel and drywall. RFI 83	-		2,420		2,420.00	
o.	Additional framing at Lobby RFI39			2,200		2,200.00	
σ.	Public Works and Permit fees and Processing Costs	16,320		2,450		18,770.00	
Ġ	Clean up and trash removal for above work	400	1,000	2,000	3,000	11,400.00	
œ	Additional Scaffold rental at Auditorium			5,670		5,670.00	
တ်	Additional cost for off duty police officers	٠	5,760			5,760.00	
ا۔	Additional Trailer rental and utilities			5,128		5,128.00	
j	Security for FTAA	2,395				2,395.00	
>	Contingency for Unforseen Conditions and Future Owner Changes	100,000		50,000		150,000.00	
Š	General Requirements for the above work (12 weeks - 60 business days)	18,988	4,028	27,619	6,905	57,540.00	
×	Overhead and Profit	15,609	3,311	22,704	5,676	47,300.00	
>:	Bond	2,216	470	3,224	808	6,716.00	
7.	Property insurance for time extensions from beginning of project through CO # 3	11,880	2,520	17,280	4,320	36,000.00	

	e G	Genie Liff - (Alternate)	, common				8,000	ر 1,000.00	
	Ğ.	Additional microphones, racks, and stage manag letter 10/18/03	stage manager's console - (Alternate) Artek	tek 5,106				5,106.00	
				202,252	111,593	352,465	122,709	789,019.00	
	In order eliminate	to fund the above ongoing work the a ed. Funding for rigging will be restore	In order to fund the above ongoing work the allowance for rigging (\$241,678.00) has been eliminated. Funding for rigging will be restored after approval of CO #3.	een					
	Addition 4 weeks	Additional time necessary to complete is 16 weeks. Iter 4 weeks to be transferred from current GMP line items.	Additional time necessary to complete is 16 weeks. Item W, general requirements, is for 12 weeks with balance of 4 weeks to be transferred from current GMP line items.	for 12 weeks with	balance of				
	Please n funds lef	Please note the City only pays for the actual cost of funds left in the contingency are returned to the City	Please note the City only pays for the actual cost of subcontractor, labor, and material. At the end of the project, any funds left in the contingency are returned to the City.	. At the end of the	project, any			·	
	INCREASE	INCREASE CONTRACT BY THE AMOUNT OF:		€	789,019.00				
	PREVIOU	PREVIOUS APPROVED CONTRACTS AND CHANGE ORDERS;	ORDERS;	\$	5,568,002.00				
	TOTAL CC	TOTAL CONTRACT AMOUNT:		Φ	6,357,021.00		,		
	EXTEND [EXTEND DATE OF COMPLETION BY 112 CAL	CALENDAR DAYS FOR AUTHORIZATIONS 5, 6 AND CO #3	ND CO #3		٠.			
620	Alternates: Install pin re Delete Geni	Alternates: Install pin rall in lieu of stage right catwalk: Delete Genie Lift:	Deduct \$9,255.00 Deduct \$8,000.00			-		,	
¥	Architect:	R.J. Heisenbottle Architects, P.A.	Contractor: McCartney Construction	Owner's Rep:	State of Florida Dept of Mngmt Svo				
	Date:		Date: 2/23/04	Date:		1			
	,								

Change order # 3 Cost breakdown

Α	Plaster 320 S F @ 20.00 (budget)		640
P	Plaster @ Aud ceiling (budget)		
•••	Repairs - Lump sum	12000	
	Spray Tex 4144 S F @ 1.00	4144	1614
C	Carpentry and form work (budget)		
	Foreman 1 man 320 Hrs @ 35.00	11200	
	Laborer 2 men 620 Hrs @ 15.00	9300	
	Grout	300	
	Forms	440	
	Lumber	800	
	Fasteners	300	2234
D	Bathroom finishes (budget)		
	Demo	3500	
•	Drywall	2500	
	Tile	12000	
	Partitions	4000	2200
 E	Projection room (budget)		
	Demo	1067	
	Drywall	2464	·····
	Vct	610	
	Elect.	800	494
= :	Waterproof mechanical room(budget)		
	Wood base 140 L F @ 1.75	245	
	Drain	744	
	Repair wall	200	
	Waterproofing 560 S F @ 4.00	2240	3429
3	Renovate MO 1 (budget)		
	Doors / hardware / louvers	2420	·
	Installation	600	
	Cut and prep opening	2500	······································
	HVAC duct	2460	****
	Fire damper	1000	***************************************
	Elect.	600	
	Plumbing	2472	12052
 	Structual changes (budget)		
	Carpenter 1 man 120 Hrs @ 30.00	3600	
	Carpenter helper 1 man 120 Hrs @ 20.00	2400	·····
	Laborer 1 man 120 Hrs @ 15.00	1800	
	Scaffold	600	*
	Material	1000	9400
	Roof hatch (budget)		
	Hatch	1860	
	Framing	1140	···
	Ladder	1200	4200
	Stage right		
	Steel - Eagle	9850	
-	Rigging - budget	5000	14850
ji L	Hardware additions and shares		
	Hardware additions and changes Farreys 3565 less 708 credit	07/7	···········
	Farreys	2757 4250	····
	Farreys - auto openers 8,405 less 138 credit	8267	



	Formes and surfaces - revised 50,484 less orig. 35,314	15170	
	Installation 1 man 80 Hrs @ 35	2800	
L	Electrical UPS - Mr. Electric UPS	7711	
	Credit	-1900	5811
		1000	
М	HVAC - Southeast Mechanical		
	Auditorium	8750	
	Lobby	9350	18100
N	Drapery pocket	<u>`</u>	
14	Steel - budget	1035	
	Drywall - patriot	1385	2420
		1000	2720
0	Lobby framing (budget)		
	1100 S F @ 2.00		2200
P	Public works fees		
	Deposit for new water line	5900	
	Tap fees - City 19,420 less credit from Boys (9,000) Derm fees	10420 500	
	Plans processor 75.00 per trip, 4 Derm, 6 BD, 6 PW	1200	
	Printing - COMB, Office, Field, BD, PW	750	18770
Q	Clean up and trash removal		
	Laborer 2 men 640 Hrs @ 15	9600	
	Trash removal 6 x 300	1800	11400
R	Scaffold rental		
	2 months @ 2835 per month		5670
:			
<u> </u>	Police Officers		
·	8 weeks x16 Hrs x 30.00	3840	
~~~~	8 weeks x 8 Hrs x 30.00	1920	5760
T	Trailer rental and utilities		
·	Rental - Trailers 4 months	1128	
	Utilities 4 months @ 650.00	2600	
	Phone - 4 months	640	
···	Temp toilet - 4 months	760	5128
Ū	Consults for ETAA	<u> </u>	
<u> </u>	Security for FTAA Statewide Security		
· .	Mobile Mini trailers	1666 569	
	Labor	160	2395
		1 100	2333
V	Contingency		150000
W	General Requirements		
W-2-3-4-W	60 days x 959.00		57540
X	Overhead and profit		
-1	C M fee 6%		47300
			- 1/300
′	Bond		6716
	Evitored assessed and add a		
	Extend property and windstorm insurance through 6/30/04		36000
a (Genie lift (budget)		8000
			0000
b !	Microphones and rack - Mavco		5106

Change Order #3 revised narrative:

This change order was reviewed specifically in a meeting on September 16, 2003. It was presented in two different formats. The first format is the actual change order with specific line items for each category. It was then rewritten into a separate format to show the difference between owner changes, building department and governmental changes, scope changes, and unforeseen conditions. Items 1 & 2 are self explanatory.

Item A:

This is for additional plaster repairs for the lobby area in front of the bathrooms. This ceiling was scheduled to remain as it was on the original plans, but it was discovered through selective demolition that the original ceiling profile was still in place above. Since that discovery of the ceiling was made, the architect and the city's preservation office decided it was appropriate to restore the ceiling to its original condition as required by the Secretary of State standards. This is the CM's estimate based on the present condition of the ceiling.

Item B:

This is for additional holes that have been cut in the existing auditorium ceiling. Due to all the work that was necessary in the previous submitted authorizations, the ceiling needs extensive patching, and we need a texture coating in order to blend with the original finish. These additional holes were made necessary because of the added roof bracing and ductwork modifications. This is an estimate based on the current and projected holes in the ceiling.

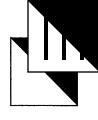
Item C:

This is an estimate for additional carpentry and form work that we anticipate will be necessary to complete the project. This includes framing at the lobby for linear diffuses and form work to grout cells at the drapery pockets.

Item D:

The finishes at the existing first floor restrooms have to be replaced because asbestos was found in these locations. This was not a part of the original scope of work. This is a budget item until this area has the finishes selected and the actual work completed and documented.

Item E:



Item E:

The City's representative Eric Fliss brought this to our attention. The projection room was not to be upgraded in the original scope of work. Due to the vast amount of work that will be necessary in and around the projection room, it was suggested that new finishes be installed in this room as well. This is a budget until finishes are specified.

Item F:

Waterproofing the floor and adding a drain to mechanical room #3 is strongly recommended, because the mechanical is directly above the lobby. If there was to_be an overflow in the A/C unit drain pan, it could damage the lobby ceiling below. Again this is an estimate with the actual cost to be submitted once this is specified.

Item G:

Mechanical room #1 does not meet current code. This area was originally used for storage by the restaurant and our consultants did not have access to this area. Once the room was emptied, it was found that the room does not meet current codes.

Item H:

This is for structural changes to accommodate air conditioning duct work and equipment. This was not visible until selective demolition was performed.

Item I:

A new roof hatch is necessary because the current one at the projection room will be covered by new A/C duct work. This is necessary so future maintenance personnel can access the roof conveniently. A fixed ladder will be necessary for access.

Item J:

This is for an additional stage right catwalk and associated rigging. This was initially discussed at the beginning of the project, but was not incorporated into the plans at that time. After the rigging was designed, it was determined that the stage right catwalk and associated rigging would be necessary. An alternate to this would be to install a pin rail only.

Item K:

Throughout the course of the project, several doors have been added in previous Authorizations that were not included in the original scope. New doors and hardware were added at openings 104, 105, 123, M01-AX. Additional hardware was added to 110D. Also the design of the lobby doors had not been completed at the time of the original contract. This item is for additional hardware, changes to the hardware scope from the original schedule prepared by the supplier, and automatic openers for handicap access. See attached list for complete breakdown.

Item L:

For safety concerns, the electrical engineer determined it would be best to install a UPS system at the ZZ step lights. When the power in the theatre is interrupted, the step lights would be illuminated.

Item M:

The changes for HVAC include both the auditorium and lobby adjacent to the restrooms. Due to the tight conditions, it was determined that the original duct work designed for the branch ducts would not fit in the space available. New duct work was constructed to fit in this area as per the engineer's revised design. The original ceiling was found in the main lobby and the lobby adjacent to the restrooms. After the discovery, the duct work had to be redesigned and new linear grills installed in the lobby ceiling.

Item N:

After selective demolition on the ceiling and the area of the drapery pocket, it was found that the steel designed for this area needed to be modified. It was also determined after reviewing existing field conditions that the pocket needed a drywall barrier.

Item O:

After selective demolition, the lobby was found to be out of square with the existing ceiling. This new frame is to be installed so the frame walls are symmetrical on both sides of the ceiling.

Item P:

We were recently informed that there would be Public Works fees for site utilities. The cost of the additional Public Works fees were not figured in the original budget for this project. This item also includes estimated additional DERM fees for revised plans and processing costs.



Item O:

This is self-explanatory and is for clean up and trash removal.

Item R:

Due to the above mentioned work, the scaffolding currently in place will need to be used for an additional two months. This is a cost of two months rental of the scaffold.

Item S:

After the project began, we were instructed that off-duty police officers would then be necessary to direct traffic. We had budgeted an amount previously without knowing what the exact cost of the officers' impact would be. Based on what we now know, this is the additional cost to the.

Item T:

This is additional trailer rental and utilities for both contractors and owners trailers located in staging area. This is for four months rental due to time extension necessary to complete the project.

<u> Item U:</u>

This is security requested by the owner for the week of the FTAA.

Item V:

Based on the contingency cost needed to date and the percentage of job completion, the construction team agreed that this amount would be necessary to complete the job. Please note that the City only pays for the actual cost of the work and any contingency balance is returned to the City.

Item W:

These General Requirements are for the time it will take to perform work contained in Change Order #3.

Item X:

Overhead and profit is based on the amount of the change order according to our Contract Agreement.

Item Y

The Bond cost is based on the amount of the change order.

Item Z:

Property insurance is for extending the completion of the project. (January 2004 - June 2004)

Item aa:

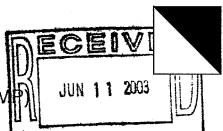
Owner requested to include a 40' Genie lift to access rigging and for maintenance purposes.

Item bb:

Owner requested additional microphones, wall rack, and portable stage managers console.

In order to fund ongoing activities, the rigging budget of \$241,678.00 was eliminated and moved into contingency by Authorization No. 7. As we have documented previously in this summary, the team recommended that this change order be funded in both July and September of 2003. In the last five months some of the work has had to be completed in order to keep the job progressing. Therefore at the present time, the funds for rigging have been eliminated and used for ongoing construction purposes. That is why there is no rigging budget today.

AUTHORIZATION TO ADJUST LINE ITEMS WITHIN THE GUARANTEED MAXIMUM PRICE (GN



Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

OWNER'S REP:

State of Florida

AUTHORIZATION NO.

Department of Management Services

Division of Building Construction 921 N Davis Street, Jacksonville, FL 32209

DATE:

5/15/03

CONTRACTOR:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

Davie, FL 33314

STATE PROJECT NO.

COMB-99042000

ARCHITECT:

R.J. Heisenbottle Architects, P.A 340 Minorca Avenue, Ste 10

Coral Gables, FL 33134

CONTRACT DATE:

10/22/01

The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

ltem.	Reason for Change		Schedule Line Item	Amount	Subcontractor
Move th	ne following items from contingency to each category.				
	Permit and Process Fees	Actual Budget 7,547 3,000	1012	• 4,547	Bldg Permit Srvc Grp
2.	Blueprints and miscellaneous	Actual Budget 6,676 3,900	1023	2,776	Precision Blueprinting
3.	Office Trailer - add 10 weeks to contract		1013	705	Workspace Plus
4.	Temporary Utilities				· ·
A.	Electric - add 10 weeks to contract		1014	125	FPL
B.	Temporary Utilities - add restaurant and owner's trailer	Actual Budget 14,980 10,400	0813	4,580	Mr. Electric
C.	Phone - add 10 weeks		1014	400	Beil South
D.	Temporary Toilet - add 10 weeks		1014	280	
5.	Scaffold rental at Auditorium				
A.	- add 10 weeks to contract		1021	7,088	Brand Scaffold
B.	- reconfigure at Stage Area due to job conditions		1021	1,440	Brand Scaffold
6.	Demolition - remobilization charge due to asbestos disco changes	very and structural	0113	3,000	Wildcat
7.	Pilings				· · · · · · · · · · · · · · · · · · ·
A.	- additional piling length (for pilings completed to date, appr	oximately 50%)	0117	2,076	Ebsary Foundation
В.	- remobilization		0117	2,650	Ebsary Foundation
8.	Asbestos - discovery of additional asbestos at marquee		0121	5,350	Wortech
9.	Concrete - tie beam, columns and slab changes required by B and changed by engineer	uilding Department	0211	8,269	International Builders

ltem	Reason for Change	Schedule Line Item	Amount	Subcontractor
1_	Actual Budget Plumbing - repair of existing lines and hidden under slab 7,021 2,422 & installation of new lines to allow restaurant to keep operating	0812	4,599	Bradford Plumbing
11.	Electric at Food Concessionaire and telephone & data outlets in Room 200	0813	3,140	Mr. Electric
12.	General requirements for job delay due to the following:			
A.	- Discovery of asbestos at marquee			
B.	- Review and changes to Lobby slab by engineer			
C.	- Review of deteriorated tie beams at Lobby by engineer			
D.	- Review and repair of ceiling joists at Lobby			
E.	- Engineering, fabrication and installation of structural steel lateral brace at Stage Area			
,, F.	- Discovery and review of existing grade beam and joists joist condition at Stage-Area			
G.	- Additional concrete work as noted above			
H.	Delay 10 weeks (50 business days) - contract amount \$959 per business day. Since McCartney Construction was not on the job full-time for 10 weeks, we are adjusting the general requirements as noted below:			
1.	- 15 days x \$959	1100	14,385	McCartney
J.	- 20 days x \$959 x 50%	1100	9,590	. McCartney
K.	- 15 days x \$959 x 25%	1100	3,596	McCartney
	Amount to be moved from contingency 3/27/03		(78,596)	

127,046 Contingency Beginning Balance (78,596)Authorization 1 48,450 Balance

Architect:

R.J. Helderbottle Architects, P.A

Contractor:

McCartney Construction

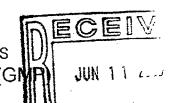
Owner's Rep:

State of Florida Dept of Mngmt Svc/

Date: 5/15/03

Date:

AUTHORIZATION TO ADJUST LINE ITEMS WITHIN THE GUARANTEED MAXIMUM PRICE (GN



Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

OWNER'S REP: State of Florida

Department of Management Services

Division of Building Construction

921 N Davis Street, Jacksonville, FL 32209

DATE: 5/13/03

CONTRACTOR:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

Davie, FL 33314

STATE PROJECT NO.

AUTHORIZATION NO.

COMB-99042000

ARCHITECT:

R.J. Heisenbottle Architects, P.A

340 Minorca Avenue, Ste 10 Coral Gables, FL 33134

CONTRACT DATE:

10/22/01

The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

Item	Reason for Change			Schedule Line Item	Amount	Subcontractor
Move	the following items from contingency to each category.					·
		Revised	Original			
,	Changes to MAVCO's contract requested by staff	154,564	151,346	0822	3,218	MAVCO
2.	Structural steel lateral bracing that exceeds allowance	<u>Actual</u> 21,027	. <u>Budget</u> 15,000	0711	• 6,027	Eagle Metal Fabricators, Inc.
3.	Temporary Partition at Stage that exceeds allowance	<u>Actual</u> 24,075	<u>Budget</u> 12,000	0611	12,075	Patriot Specialized Construction, Inc.
4.	Demolition remobilization to remove north slab			0113	2,000	Wildcat

Continge	ency Beginning Balance			127,046	•
Authoriz	ation 1			(78,596)	
Authoriz	ation 2			(23,320)	
Balance		•		25,130	= .
Architect:		Contractor:		Owner's Rep:	ex R Colon
R.	J Seisenbottle Architects, P.A	-	McCartney Construction		tate of Florida ept of Mngmt Svc
Date	6903	Date:	5/13/03	Date:	6-11-03

Authorization # 2 Page 1 of 1

AUTHORIZATION TO ADJUST LINE ITEMS WITHIN THE GUARANTEED MAXIMUM PRICE (GMP)

JUN 2 5 2003

Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

7/0//2 /m

OWNER'S REP:

State of Florida

Department of Management Services

Division of Building Construction

921 N Davis Street, Jacksonville, FL 32209

DATE: 6/24/03

CONTRACTOR:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

Davie, FL 33314

STATE PROJECT No.

AUTHORIZATION NO.

COMB-99042000

ARCHITECT:

R.J. Heisenbottle Architects, P.A 340 Minorca Avenue, Ste 10

Coral Gables, FL 33134

CONTRACT DATE:

10/22/01

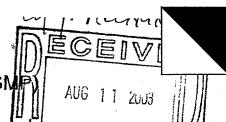
The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

Item	Reason for Change	Schedule Line Item	Amount	Subcontractor
Move t	he following items from contingency to each category.			•
:	Replace sanitary and water lines	0821	25,385	Miami Shores Plumbing
	•	·		
		L		· · · · · · · · · · · · · · · · · · ·

Contingency Beginning Balance	127,046
Authorization 1	•
•	(78,596)
Authorization 2	123 5207
Authorization 3	(23,320)
, region region ?	(25,385)
Balance	
·	(255)

Architect:	<u> </u>	Contractor:		Owner's Rep:	
	R.J. Heisenbottle Architects, P.A		McCartney Construction	• • •	State of Florida Dept of Mngmt Svc
Date:		Date:	6/24/03	Date:	Dept of winging Svc

AUTHORIZATION TO ADJUST LINE ITEMS WITHIN THE GUARANTEED MAXIMUM PRICE (GMF



Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

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e naa	NER'S	HAMIN.

State of Florida

AUTHORIZATION NO.

Depart

Department of Management Services Division of Building Construction

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DATE:

CONTRACTOR:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

921 N Davis Street, Jacksonville, FL 32209

Dávie, FL 33314

STATE PROJECT No.

COMB-99042000

R.J. He ARCHITECT: 340 Min

R.J. Heisenbottle Architects, P.A 340 Minorca Avenue, Ste 10

Coral Gables, FL 33134

CONTRACT DATE:

10/22/01

7/17/03

The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

F				
Item	Reason for Change	Schedule Line Item	Amount	Subcontractor
Move	the following items from each category to contingency.			
<u></u>	plenish Contingency			
1.	Move seating allowance to contingency	0727	(122,400)	Irwin Seating
·				
				The second secon
				/
	Contingency Beginning Balance Authorization 1 - 3 Authorization 4		127,046 (127,301) 122,400	
	Balance	- -	122,145	
Archit	ect: Contractor: McCartney Construction ate: 8/5/03 Date: 7/17/03		State	of Florida of Magmit Svc

Authorization # 4 Page 1 of 1



AUTHORIZATION TO ADJUST LINE ITEMS WITHIN THE GUARANTEED MAXIMUM PRICE (GMP)

Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

OWNER'S REP:

State of Florida

AUTHORIZATION NO.

5 Revised

Department of Management Services

Division of Building Construction

921 N Davis Street, Jacksonville, FL 32209

DATE:

7/31/03

CONTRACTOR:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

Davie, FL 33314

STATE PROJECT No.

COMB-99042000

ARCHITECT:

R.J. Heisenbottle Architects, P.A. 340 Minorca Avenue. Ste 10

Coral Gables, FL 33134

CONTRACT DATE:

10/22/01

The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

Item	Reason for Change	Schedule Line Item	Amount	Subcontractor		
Move	the following items from contingency to each category.					
'ie	Tield Conditions					
1.	Structural steel (for marquee, air conditioning openings and steel braces)	0711	15,417	Eagle Metal		
	(Breakdown of labor and material is on last page of package)	0411	3,722	labor & material		
2.	Marquee (modify for field conditions)	0718	2,900	Nordquist Sign Co		
3.	Install additional framing, bolts and straps (at Auditorium ceiling, lobby ceiling and storage area) (Breakdown of labor and material is on last page of package)	0411	21,630	labor & material		
4.	HVAC (change duct work to fix existing conditions at Auditorium ceiling)	0811	5,057	SE Mechanical		
5.	Dewatering (amounts that exceed budget)	0114	9,977	Griffin Dewatering		
	2 on along (amounts that excelled budget)	0812	507	Miami Shore Plumb		
		0813	7435	Mr. Electric		
6.	Computer upgrade for stage lighting (1,000 channel, emphasis 30)	0823	7,000	Miami Stagecraft		
7.	Piling (additional footage for Phase II)	0117	1,508	Ebsary Foundation		
8.	Provide off duty police officer for closing of alley	1023	4,000	Police		
9.	Demolition (Breakdown of labor and material is on last page of package)	0411	960	Labor & Material		
	- Similaria (Similaria di labori and material is on last page of package)	1028	1,200	Labor & Material		
		1030	450	Labor & Material		
10.	Fire alarm devices (added at Building Department's review)	0813	3,997	Mr. Electric		

				`
11. Remove block and pour tie beam - existing 2 [™] Floor Mechanical R	Remove block and pour tie beam - existing 2 ^m Floor Mechanical Room and weld	0113	700	Labor & M
	straps to existing steel		1,080	Eagle
	•	1030	250	Labor & Materi
		411	10,380	Labor & Materi
		0711	5,160	Labor & Materi
12.	Waste line for future grease trap	0812	7,355	Miami Shore Plun
13.	General Requirements for job delay - 8 business days	1100	7,672	McCartne

Contingency Beginning Balance

Authorization 1 - 3

Authorization 4

Authorization 5

Balance

127,046

(127,301)

122,400

(118,357)

3,788

Architect:

R.J. Heisenbottle Architects, P.A.

Contractor:

McCartney Construction

Owner's Rep:

State of Florida Dept of Mngmt Svc

Date:

Date:

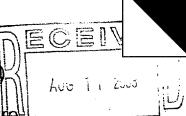
7/31/03

Date:

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Authorization # 5 Revised Page 2 of 2

AUTHORIZATION TO ADJUST LINE ITLAS WITHIN THE GUARANTEED MAXIMUM PRICE (GMF



Renovation & Restoration of the Colony Theatre 1040 Lincoln Road, Miami Beach, FL

OWNER'S REP:

State of Florida

Department of Management Services

Division of Building Construction

921 N Davis Street, Jacksonville, FL 322

CONTRACTOR:

ARCHITECT:

McCartney Construction Company

4800 Southwest 64th Avenue, Suite 109

Davie, FL 33314

R.J. Heisenbottle Architects, P.A.

Coral Gables, FL 33134

STATE PRO

AUTHORIZATION No.

DATE:

10/22/01

COMB-99042000

6 Revised

7/31/03

340 Minorca Avenue, Ste 10

CONTRACT DATE:

The following is a description of changes to adjust the line item values within the Guaranteed Maximum Price (GMP). This adjustment does not change the GMP.

AUG

Item	Reason for Change	Schedule Line Item	Amount	Subcontractor
Move t	he following items from contingency to each category.			
Cha	nge Order Proposal # 1, 2 & 3 and Miscellaned	ous Iten	75	
1.	Acoustical treatment at east and west walls of Auditorium. Change material	0619	18,450	Kenney Drapery
	from acoustical panels to manual operated curtains. Install structural steel angles and drywall soffits.	0611	8,700	Patriot Spec Const
		0711	3,905	Eagle Metal
		1021	3,119	Brand Scaffolding
2.	HVAC (EMS upgrades, fire damper upgrade and additional duct work)	0811	5,500,	SE Mechanical
3.	Access panels at 202C and 202D	0611	1,025,	Patriot Spec Const
4.	Electrical - (GFI's, concession, step lights, relocate panels)	0811	40,704	Mr. Electric
		0811	4,602	Mr. Electric
5.	Fire Sprinkler (revisions)	0815	3,300	Alpha Automatic
6.	Seating	0727	(4,682)	Irwin Seating
7.	Carpentry (new steps and front rows at seating)	. 0411	6,401	Labor and Material
8.	Plumbing (concession)	0812	6,200•	Miarni Shores Plumb
9.	Chandelier that exceed allowance	0813	19,112 •	Urban
10.	Stage Lighting that exceeds allowance	0823	10,042	Miami Stagecraft
11,	General Requirements - 7 business days	1100	6,713	McCartney

Contingency Beginning Balance

Authorization 1 - 3

Authorization 4

Authorization 5

Authorization 6

Balance

127,046

(127,301)

122,400

(118,357)

(133,091) NUES

(129,303)

Architect:

W5,-

R.J. Heisenbottle Architects, P.A

Date: 8/5/03

Contractor:

-McCartney Construction

Date: 7/31/03

Owner's Rep:

State of Florida Dept of Mnamt Sv

Date:

9-16-03

Additional narrative to existing items listed in Authorizations 1, 2, 5R, & 6R.

Authorization #1:

Items 1 & 2:

Permit/Process fees and Blue Printing expenses were items were budgeted to the best knowledge we had at the time of the GMP. Due to owner change requests, building department change requests and other scope changes due to unforeseeable field conditions, additional blueprint costs were incurred along with additional permit and processing fees for the City of Miami Beach Building Department. These additional costs were justifiably funded out of contingency.

Items 3, 4A, 4B, 4C, 4D, 5A, & 12:

Each of these items relates to the time extension. This extension was necessary due to the items listed in #12 A-H. When a job is delayed, items in place such trailer, temporary toilet, electric, scaffolding, and utilities have to be paid for as part of the project cost. See schedule dated 2/17/03. Actual delays that affected critical path were the asbestos and selective demolition delay 7 weeks, the delay in completing the temporary enclosure and lateral bracing 14 weeks, and the piling delay 10 weeks. The City of Miami Beach was responsible for asbestos testing and the additional asbestos that caused the delay was not discovered until we started selective demolition. After asbestos removal and selective demolition, it was also found that the lobby floor could not proceed without the engineer's review and redesign of the slab due to an unforeseeable structural condition. You should be aware that there were no existing drawings available for this building in the city's archive. Accordingly, the architects and engineers developed there drawings based upon field measurements of what was visible. After selective demolition, we found deteriorated tie beams at the front on the lobby. These had to be immediately shored up, inspected by the engineer, and repaired according engineer's specifications. The building department changed the requirements of the temporary wall and lateral bracing. The temporary wall and lateral bracing had to be designed and installed to meet the wind load that applies to a permanent building.

Item 5B:

The scaffolding was erected at the stage area in order to work on the ceiling structure. After selective demolition of the floor slab, grade beams on the existing building were not found to be as anticipated. They were in a different location and the scaffold had to be removed in order to access and complete the remedial slab and beam work.

Item 7A:

The piling length specified on the plans was the average expected length of piling for this area. For pilings projects, 2 ft is a minimal amount for additional piling length. Florida soils conditions can vary in a matter of a few feet and we were fortunate to be as close as we were to the footage specified in the bid document.

Item 7B:

The piling could not be installed in one phase as originally anticipated due to the existing conditions. Only after selective demolition, was it known where existing grade beams and pile caps were located. Several areas of the piling had to be redesigned or relocated in order to accommodate the existing pile cap and grade beam conditions. In addition, this project was anticipated to start in the dry season. Due to earlier delays, the extremely wet conditions further hampered installing piling in one phase.

Item 9:

It is normal during plan review of complex projects such as this for the building department to request changes or modification to plans. This is a valid change that the contractor had to make in order to comply with building departments requirements.

Items 12A-H:

This extension was necessary due to the items listed in #12 A-H. After reviewing the delay, DMS and McCartney Construction agreed to reduce the fee. McCartney Construction was not obligated to do so, and could have charged the project the full amount allotted under the contract for the delays which were not the fault of the contractor. This is courtesy discount that we extended to the city.

Authorization #2:

Item 1:

The changes to the audio console system were requested by the owner. For further clarification, this can be reviewed with the City's technical consultant, Eric Fliss.

Items 2 & 3:

The structural steel lateral bracing and temporary partition at the stage were budgeted as temporary structures. During the course of the building department review, as stated earlier, the building department decided these items had to be designed and constructed to accommodate permanent wind load calculations. This seriously impacted not only the cost, but the time to construct the lateral bracing and temporary wall. Due to the lack of original building drawings, little was known about the capacity of the existing structure, an enormous amount of design calculations had to be researched in order to meet the building department's criteria.

Item 4:

This was at the owner's request. In order to accommodate the adjacent restaurant, substantial changes were made to the schedule and scope of the work in this area.

Authorization #5R:

Item 1A:

Structural steel for the marquee had to be modified after selective demolition took place. Please note in the previous authorization that asbestos was found at this area. Removal of this asbestos required additional cost as did redesign of the structure. It was physically impossible to ascertain these conditions until after selective demolition had been completed.

Item 1B:

After removing sections of the auditorium ceiling, it was found that the duct work as designed would not fit. Until selective demolition was completed, the engineer could only make his best evaluation of the amount of room available for the duct work. This change was made to accommodate the existing field conditions.

Item 2:

This relates to item 1A. This marquee/signage change again was due to field conditions not discovered until after selective demolition was completed.

Item 3:

After cutting holes in the existing ceiling to install the air conditioning, it was discovered that existing roof structure would not meet code. The engineer reviewed this area and determined that the roof would need additional bracing and straps not included on the original plan. Once again, this was due to field conditions that could not have been discovered until after selective demolition was completed.

Item 4:

Once again is due to existing conditions at the auditorium ceiling in the space that was needed for this work. It was only discovered again after selective demolition that there was not enough room to install the duct work as designed.

Items 5A, 5B, & 5C:

It was never anticipated that the entire stage house site and handicapped access ramp would have to be dewatered. The original GMP budget anticipated only partial dewatering of the site during the seasonal dry period. Had the project not been delayed until the rainy season was upon us, some of these added costs may not have been necessary. All items listed were necessary for the dewatering process. In order to accommodate the adjacent neighbors, electrical service installed in lieu of a generator for dewatering process. Documentation . from Dewatering, Miami Shores Plumbing, and Mr. Electric was provided in the authorization packet.

Item 6:

This computer upgrade was requested by the owner. Proposal was enclosed from Miami Stage Craft.

Item 7:

The amount of footage for piling was stipulated on the plans. The engineer's estimate of the length of the pilings was very close to that which was installed. The difference is a minor amount considering how soil conditions can vary greatly in South Florida.

Item 8:

The requirement for an off-duty police officer was not mandated by the city until we started the project. This requirement was not included in any correspondence from the owner to the construction team. After demolition had been completed, we were informed by Alex Rolandelli that in the future the city would like police officers directing traffic when a crane or other heavy equipment was blocking the alley or the street. The cost had to be added to the contract price.

Items 9A, 9B, & 9C:

A breakdown of these items was included in the package. See the last page of original packet.

Item 10:

During the plan review process, the building department required additional fire alarm devices that were not included on the original plans. This cost was for the additional devices that were not shown on the original plan and were not in the original subcontractor's bid and our GMP.

Items 11A & 11B:

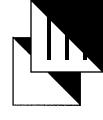
Structural changes: After selective demolition, we found there was no tie beam holding the roof at the mechanical rooms. A review by the structural engineer determined that it was necessary to form and pour tie beams and install straps to the roof structure at this location. This was unforeseeable.

Item 11C:

During selective demolition we found there were no columns or tie beams around the exterior double door on the west elevation. Since we were putting a new door in the existing opening, a new tie beam and columns were added to meet code. This was unforeseeable.

Item 12:

This was substantiated in meetings with the city, architect, and the rest of the team. Plans were revised to reflect owner's decision to add the additional piping for a future grease trap. This is confirmed in meeting minutes 7/29/03.



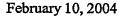
Item 13:

Our request for an 8 business day time extension is a minimal amount of time for the scope of work noted in Authorization 5R. Please see schedule previously submitted dated 8/1/03 and 8/26/03 for delay of completion of project.

Authorization #6R:

Items 1-8:

These interior finish items were not designed at the time we signed the GMP. The city added the auditorium interior and acoustical work to the scope of the project at a later date. Plans were then issued and labeled Change Proposal Request No. 1, 2, & 3. The actual cost for the items on the plans has been included in the packet. Our request of a 7 business day time extension to complete this amount of work is extremely modest. This work affects the critical path of the auditorium. Please see revised plans marked Change Proposal 1, 2, & 3 to review changes. See schedule completion date on schedules dated 8/1/03 and 8/26/03.



Mr. Richard Arcuri
Project Manager
State of Florida Department of Management Services
1313 N. Tampa Street, Suite 106
Tampa, Fl 33602

Reference:

Colony Theater

Miami Beach, Florida

Additional Service Authorizations RJHA Project Number 01-3141

Dear Mr. Arcuri:

MINORCA AVENUE CORAL GABLES FLORIDA 33134 305,446,7799

Per your request please allow me to clarify that there are three (3) outstanding Additional Service Request on the Colony Theatre project, some of which was out of necessity, some of this work has already been performed. These Additional Service Proposals fall into three categories as follows:

HEISENBOTTLE ARCHITECTS

1. Additional Threshold Inspect	ion Services \$20,000.00)
Additional Field Observations		

Unforeseen Conditions
 Architectural, Structural and A/C Duct Work

\$10,169,98

3. Owner Requested Additional Work
Stage Right Catwalk and Pinrail Assembly
Total Pending Additional Service Request

\$ 6,294.00 \$56,463.98

I trust that you have copies of the correspondence detailing these requests. Owing to the delays we have already incurred in receiving these work authorizations, I must insist that they be processed immediately.

Should you have any questions, please contact me immediately.

Sincerely yours,

R.J. HEISENBOTTLE ARCHITECTS, P.A.

Richard J. Heisenbottle, AIA President

7

Juan Ferriol - CIP

A Professional Association AAC001513



L		

				COLONY THEATER			
Rejected Items (Part of Contract)		Contract Violations but which he	Analysis h have to be paid	Adreed to Pay (Owner Reg. or Unforced Conditions)	lo. 3	Demonstrate Automotive Control of the Control of th	
No. 1 - Permit Fees	3 4 547 00			Authorization #1	Seen conditions	Neithbre from DMS Authority but funded by Owner	Owner
No. 2 - Printing	\$ 2778.00	86		No. 8 - Asbestos demo	\$ 3,000,00	00	
3 - Trailer*		00		No. 8 - Asbestos		00	
No. 4 - Utilities*	\$ 5,385,00	00		No. 10 - Plumbing	\$ 4,599	00	
No. 5 - Scaffold		00		No. 11 - Electrical		00	
No. 7 - Piling**		00		Subtotal		000	
No. 9 - Structural Review	\$ 8,269.00	00					
Subfotal		00					
CUDICICAL	\$ 62,507.00	00					
Authorization #2							
2 - Lateral bracing	\$ 6.027.00	95		Authorization #2		_	
3 - Temp, partition*	1	000		No. 4 - Filing	\$ 2,000.00	No. 1 - Audio c	\$ 3,218.00
Subtotal		00		Authorized 49			
Cubiolo Authorization 4 0 0				Plumbing replacement	A 305 00	C	
	\$ 80,609.00				\$ 43,474.00		
		Authorization #4					3,218.00
		Seating allowance used for Confingency*****	4				
Authorization #5R			00.004,221				
tering	\$ 17,919.00	00					Authorization #5R
	\$ 1,508.00	00		No. 3 Monthstate	\$ 19,139,00	9 9	\$ 7,000.00
No. 8 - Additional police	\$ 4,000.00	00		No. 3 - Doct strict council		30 stage lights	
div	3,997.0	00		No. 4 - HVAC modifications	l	00	
Subtotal		00		No. 9 - Demolition to correct			
	30,030,00	D.		No. 11 - Structural correct.	\$ 17,570,00	000	
				No. 12 - Grease trap pipe		00	
Authorization #6R		Authorization #6P		Subtotal	7	00	
	1,025.00	No. 1-,	\$ 34 174 00	No 9 Plant for			
					\$ 6,200.00	00	
No. 4 - Elect. Upgds. (partial)		ģ	\$ 4.285.00				
dejone	10,042.00		\$ 43,939.00				
ance	3,300,00	0.6					
T							
	\$ 82,952.00	0					
	\$ 118,048.00	C	\$ 43 939 00				
52				Change Order#3	6,200.00	-	\$ 7,000.00
F. Machine Rm and drain	7	œi,	\$ 16,144,00	A. Plaster	\$ 8400.00	Change Order #3	
2	3,429,00			9	22.000.	O las Genis III	1
	33 244 00	ᄪ	4,941.00			bb. Additional Storage Englowent	
8	\$ 5.811.00	M Duct work radasign due	4,200.00	G. Renovate mech. m.	\$ 12,052,00	00 addt'i services for new Threshold Inspector	\$ 25,000,00
h removal	-	Т	00.001,00	H. HVAC ducts structure	9,400.	O Subtotal	
lds		D. Public Works fees			2,420.	0	
		L	62 155 00	O, Lobby traming to	2,200.(0	
				II FTAA Sacurity			
V. General Requirements ****** S					00.085,2		
						0	
Insurance *****							
20 No. 3	255.188.00						
		Authorization #7	\$ 62,155.00		\$ 56,867,00	0	\$ 188,106.00
		Rigging allowance	\$ (241.678.00)				
TOTALS	453,845,00						
					182,802.00		198,324.00

F1CAPINS#Nohartrand/colony theater/IChangeOrderNo.3bx8

^{*} Items which are related to extended time which has not been approved
** Items related to construction issues dealing with regulatory requirements
*** Costs for time extension general conditions which have not been approved
**** Additional stees taxes for items which have not been approved
**** Additional stees taxes for items which have not been approved
***** Additional stees taxes for items which have not been approved
***** Allowances are shown as negative amounts because they will have to be replaced by DMS after RCO No. 3 is approved because
they were re-allocated without Owner participation



The Administrative and Operations Arm of Florida's Government



JEB BUSH, GOVERNOR

WILLIAM S. SIMON, SECRETARY

March 31, 2004

Tim Hemstreet, Director Capital Improvement Projects Office 1700 Convention Center Drive Miami Beach, FL 33139

Re: Colony Theater – Renovations and Restorations DMS Project No.: COMB-99042000 Response to COMB/CIP March 24, 2004 Letter

Dear Mr. Hemstreet:

This responds to the City of Miami Beach's (COMB) March 24, 2004 letter issued in response to the March 17, 2004 commission meeting regarding the request for Change Order No. 3 (CO#3) in support of the Colony Theater.

DMS has been serving as the COMB's construction agent on this project since October of 1999. We are and have been committed to this project and provided services in accordance with our Client and Agent Agreement (CAA) since project inception through development and support of CO#3. DMS's project managers at the Jacksonville, Tampa, and Tallahassee offices supported this project and incurred travel, per diem, wages, and related costs. Over the four-plus years the project has been underway some disagreements have arisen but we felt this was expected especially on extended projects and where the staffs changed as they have here when the Capital Improvement Project (CIP) Office took over for the Redevelopment Agency. Overall, we felt that the team had successfully worked through these past disagreements and was continuing to work towards completion of the project to the satisfaction of all parties.

We were therefore perplexed when we received the COMB's letter, and in particular, the statement that, "...the City has taken the position that there have been certain issues regarding the performance of DMS in managing this project." We feel that we have in fact lived up to and gone beyond our obligations of the CAA and expectations of the City. We were also troubled by the two options set forth in the letter for DMS's consideration which would involve forfeiture of DMS fees. There is no justification for forfeiting such fees or for nonpayment of outstanding fees.

DMS feels that the agency has responded to all known issues in a timely and appropriate manner. We have substantiated our view of the perceived "performance issues" per our letter dated March 16, 2004. We continue to this day to support the project per our CAA and have done so without payment for services since August of 2002. According to our records, the COMB is delinquent on payment of the April 2, 2003 invoice in the amount of \$60,241 (see enclosure).

Based upon the City's position and inability to reconcile the issues, and to make timely payments, DMS will proceed with one of the following options: (1) terminate the CAA in accordance with Article 10 or (2) offer reassignment of existing A/E and CM agreements to COMB/CIP (and discontinuing DMS services).

Please advise us within 10 calendar days which option the COMB/CIP would prefer. Under either option, we expect the City to honor its obligation to pay the agency for the services it has rendered in accordance with the CAA.

Sincerely

LeeAnn Korst, Director

Facilities Management and Building Construction

GMcCampbell/gm

Enclosure

C: Cherri Linn, Sam Morley, Richard Arcuri, Gene McCampbell

RESOLUTION TO BE SUBMITTED

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